



Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6

May 11, 2018

Ms. Shaila Anwar
Committee Clerk
Committees Directorate
Senate of Canada
Room 1019, Chambers Bldg
Ottawa, ON, K1A 0A4

Dear Ms. Anwar:

The Government of Yukon would like to express its appreciation for the opportunity to participate in the Standing Senate Committee on Social Affairs, Science and Technology.

The Government of Yukon has been working to develop a legislative regime that is aligned with the Government of Canada's proposed Bill C-45 and that further recognizes the Yukon's unique context. On April 24, 2018, the Yukon's *Cannabis Control and Regulation Act* received assent. At present, the Government of Yukon, continues its work to prepare for legalization through the development of supporting regulations; the creation and conduct of public awareness and education campaigns; and the operationalization of systems that will enable the safe and responsible sale of cannabis.

In lieu of appearing before the Standing Committee, I am providing the requested information in writing on behalf of the Government of Yukon. The remainder of this letter is comprised of this information.

What measures is your government undertaking to implement Bill C-45 with respect to the following:

a. Legislative measures undertaken to date

Bill 15, the *Cannabis Control and Regulation Act*, was granted assent during the Yukon government's spring sitting. The Act will govern the distribution, retail, consumption, personal cultivation and possession of cannabis in Yukon.

In addition to the development of an Act for Yukon, the government has begun work on the creation of regulations, these regulations are expected to be phased in their development and enactment.

All legislative measures are focused on the displacement of illegal and criminal activity and the prioritization of health, safety and harm reduction.

b. Restrictions on public use

A person who is 19 years of age or older would only be able to consume cannabis in a dwelling house (residence) and adjoining property or in another place where it is permitted by regulations. The Yukon has taken a cautious approach to consumption by prohibiting general public use.

Further restrictions have been created to protect essential service workers who may be entering a private residence; children who are attending a daycare, pre-school or other licensed child care home, and individuals living in government run facilities (e.g. nursing homes, group homes, etc).

c. Distribution, sale and taxation

Distribution will be completed through a government corporation. The Act provides for both public and private retail options.

The Government of Yukon will participate in the excise tax as proposed by the Government of Canada.

d. Minimum age

Individuals who are 19 years of age and older will be permitted to possess, consume, purchase and cultivate cannabis.

e. Public health initiatives

Our policy deliberations and decisions have included assessing each decision against the impact it would have on Yukon's high consumption rates and the current state of normalization – particularly as it relates to our youth.

As such, the Government of Yukon has been engaging directly with our youth since November 2017. Each opportunity has provided us with advice on what educational approaches and

communication methods are most effective for young Yukoners while also broadening our understanding on what is known, or not, about the effects of cannabis use.

The Government of Yukon is working to inform and educate Yukoners about cannabis. We are committed to delivering a public education campaign that addresses the broad spectrum of health and social issues.

f. Workplace Safety

The Government of Yukon has created a multi discipline sub-committee of officials to review the impacts of legalization of cannabis in the workplace. This group consists of workplace safety oversight and regulatory bodies, organized labour and government officials from various departments.

The work of this sub-committee has included a review of legislation and steps towards the development of a policy for the Yukon government. This new policy will give consideration to legal obligations of the employer while considering the rights of employees. All forms of impairment are being considered to ensure that the policy is coordinated, thorough and consistent.

In addition to the policy work that is actively underway the Yukon's Workers' Compensation Health and Safety Board is working to develop awareness for employers and employees on all forms of workplace impairment, particularly as it relates to safety sensitive and decision critical work environments.

g. Possession limits

Only persons 19 years of age and older will be allowed to possess cannabis. The cannabis held by an individual must have been lawfully purchased from a person authorized to sell cannabis in Yukon or grown for personal use as permitted by the *Cannabis Control and Regulation Act*.

The limit for personal possession of cannabis in public will be 30 grams of dried cannabis, or an equivalent amount of another legal cannabis product.

Further, the Act requires a person who is in possession of cannabis to take reasonable measures to ensure that a young person cannot access the cannabis.

h. Impaired driving measures

The Government of Yukon is awaiting the amendments considered in the proposed Bill C-46 to strengthen driving and transportation sections of the Criminal Code. The Yukon government has not made any significant changes to its driving laws as a result of the move to legalize cannabis. The Yukon government will maintain limited administrative sanctions in respect of impaired driving. A review of our *Motor Vehicle Act* with consideration to strengthen a number of sections including administrative sanctions in respect of impaired driving is underway.

i. Home cultivation

A person who is 19 years of age or older will be able to grow up to four cannabis plants for personal use, as long as the plants are grown from seeds or plant material that were legally obtained. Four plants is the maximum number allowed at any one dwelling house.

j. Places of use

The Act will limit consumption to privately owned residences and adjoining property, where permitted by the owner, while providing for the potential to allow consumption in other spaces in the future (e.g. through a licensing process).

k. Indigenous specific policies

The Yukon government has been working with Yukon First Nation governments to discuss legalization and has used information obtained through its engagement activities to shape the *Yukon's Cannabis Control and Regulation Act*.

2. Please advise if your government has any other recommendations or concerns with respect to the implementation of this legislation in your province or territory

Access to draft regulations would provide greater certainty in the development of regulations at the territorial level, which would in turn would provide great certainty for municipalities. Requiring jurisdictions to await the passing of the Act and the finalization of the regulations may result in cost and schedule risks.

I trust the information contain within this letter addresses your questions.

Yours Truly,



Tracy-Anne McPhee
Minister of Justice and Attorney General