



Legalizing Recreational Cannabis in the Northwest Territories

What is included in the GNWT's proposed cannabis laws

February 28, 2018

If you would like this information in another official language, call us.

English

Si vous voulez ces informations en français, contactez-nous.

French

Kīspin ki nitawih̄tīn ē nīhīyawih̄k ōma ācimōwin, tipwāsinān.

Cree

Tłıchq̄ yatı k'èè. Dı wegodı newq̄ dè, gots'ō gonede.

Tłıchq̄

ʔerih̄t'ıs Dēne Sųh̄né yatı t'a huts'elk̄er xa beyáyatı theʔą ʔat'e, nuwe ts'ēn yółtı.

Chipewyan

Edı gondı dehgáh got'ıe zhatıé k'éé edat'éh enahddh̄e nıde naxets'é edah̄ı.

South Slavey

K'áhshó got'ıne xədə k'é hederı ʔedıhtl'é yerıııw̄e nıde dúle.

North Slavey

Jii gwandak izhii ginj̄ik vat'atr'ıj̄ahch'uu zhit yınohthan jı', diits'at ginohkhii.

Gwich'in

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqłuta.

Inuvialuktun

Ċ'bdċ ɳɳ^{sb}Δ^c ΛϠLJΔ^{rc} Δɔ^bɳɳ^cϠ^{sb}Ϡ^cɳ^b, ɳ^cɳ^cɳ^cɳ^c ɳ^{sb}ɳ^cɳ^cɳ^c.

Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

Aboriginal Languages Secretariat: (867) 920-6484

Francophone Affairs Secretariat: (867) 920-3107



The Government of Canada plans to legalize recreational cannabis in the summer of 2018.

Provinces and territories have the ability to decide how some things are regulated. This document explains how the Government of the Northwest Territories (GNWT) is proposing to regulate cannabis in the Northwest Territories (NWT) in the areas that it has control over.

The Legislative Assembly of the Northwest Territories is now reviewing the laws that have been proposed by the government, and may consult residents of the territory to hear their views as part of this process. The information provided here describes only what the government is *proposing*. The laws around cannabis will not be determined until they are voted on and passed by the Members of the Legislative Assembly.

It is important to remember that until laws change, the use of recreational cannabis is still illegal in the NWT.

Selling and distributing cannabis

It is proposed that:

- The Liquor Commission will be responsible for distribution and sale of cannabis in the NWT.
- Once it becomes legalized, cannabis will be sold in “cannabis stores”, which will initially be the existing liquor stores. The proposed law allows for the possibility of approving “cannabis-only” stores in the future under the authority of the Liquor Commission.
- Residents will be able to mail order cannabis from a liquor store, operating on behalf of the NWT Liquor Commission. This will allow access to residents of communities that do not have a liquor store.
- Only fresh or dried cannabis, cannabis oil and seeds will be sold until further changes are made to the federal laws. The Government of Canada has said it will make regulations for the distribution and sale of edible cannabis products in the future, no later than one year after the federal Cannabis Act comes into force.
- Signs about the health risks of using cannabis will be posted in places where cannabis is sold. Stores can be fined if they don't have the health warning signs posted.
- Communities will be able to hold a plebiscite on whether to restrict or ban the sale/use of cannabis, as they presently can for alcohol.



Buying, possessing, using and growing cannabis

It is proposed that:

- Only adults 19 years of age or older will be able to buy or possess cannabis.
- A person who is 19 years of age or older will be able to have 30 grams of dried cannabis, or equal amounts of other cannabis products, on their person in public.
- A maximum of four plants can be grown in a home, no matter how many adults live there.

Smoking cannabis in public

It is proposed that:

- Adults will be allowed to smoke on their own private property.
- People will not be allowed to smoke cannabis in any place where tobacco (cigarettes etc.) cannot be smoked.
- People will be able to smoke cannabis in some public places such as trails and parks, but not when they are being used for public events.
- There will also be rules that ban smoking in other areas such as those often used by children, or in crowded places. Initially, these places will include children's playgrounds, sporting fields and public parks during public events.
- Regulations will be developed that set out in more detail where people cannot smoke cannabis.
- There will be fines for smoking cannabis in public places where it is not allowed.
- The same inspectors that enforce the laws around tobacco smoking in public will enforce the laws for smoking cannabis in public. These inspectors are Environmental Health Officers from the GNWT Department of Health and Social Services. Enforcement will usually be triggered by a complaint, similar to for tobacco smoking.
- Community governments will have the authority to make and enforce their own bylaws that add to the GNWT's rules about where cannabis smoking is allowed in their community.
- Community governments will be able to ask to have community bylaw officers or inspectors do enforcement as well.



Additional Bans or Restrictions on Cannabis in Communities

It is proposed that NWT communities have options for restricting or banning recreational cannabis by holding a plebiscite, similar to the options available to communities for restricting or banning liquor.

There would be two types of options:

- **Prohibited communities** would have a ban on possessing, consuming and transporting recreational cannabis in the community.
- **Restricted communities** would place limits on the quantity or types of recreational cannabis that could be possessed, consumed or transported in the community.

Cannabis and driving

Currently in Canada, it is a *Criminal Code* offence to operate a motor vehicle while impaired by a drug or alcohol. After recreational cannabis becomes legal in Canada it will also be a criminal offence to drive with more than a certain level of THC (the chemical in cannabis that causes impairment) in your system.

The **federal government** has proposed changes to the *Criminal Code* that set:

- the legal limit for certain drugs, or drugs and alcohol together, in a driver's system;
- the penalties that can apply if a driver is found to have more than the legal limit of certain drugs, or drugs and alcohol, in their system; and
- the rules around when law enforcement can demand drug testing, what tests can be used and what happens when someone refuses to be tested.

In the NWT, the RCMP enforce impaired driving laws. For more information on the proposed changes to the federal *Criminal Code*, please go to: <http://www.justice.gc.ca/eng/csj-sjc/pl/sidl-rlcfa/c46/p3.html>).

The **GNWT** has the authority to create additional penalties for drug impaired driving.

It is proposed that, in addition to facing potential charges under the *Criminal Code*, drivers in the NWT could have their driver's licence suspended if they:

- fail a Standardized Field Sobriety Test (also known as physical coordination tests);
- fail an evaluation by a Drug Recognition Expert; or
- refuse to do the test or evaluation without a reasonable excuse.



In addition, the GNWT is also proposing that:

- certain types of drivers can have their driver's licence suspended if they are found to be driving with *any* amount of alcohol or prohibited drugs in their system, specifically:
 - if you are younger than 22 years of age;
 - if you have a learner's driver's licence or a probationary driver's licence; and
 - if you drive certain types of commercial vehicles.
- cannabis in a vehicle must be unopened or be stored in a place that is out of reach of the driver and any passengers.
- the Registrar of Motor Vehicles be given the authority to release some motor vehicle and driving-related records to law enforcement agencies when required for law enforcement purposes.

Cannabis in the workplace

It is proposed that the Workers' Safety and Compensation Commission (WSCC) will be responsible for regulating cannabis at worksites to protect employees and ensure workplace health and safety.

For more information on the legalization of recreational cannabis in Canada and how the GNWT is approaching this issue, visit:

[https://www.eia.gov.nt.ca/en/cannabis-legislation.](https://www.eia.gov.nt.ca/en/cannabis-legislation)

