

# WDFN Cannabis Regulations

## WHITECAP DAKOTA FIRST NATION CANNABIS REGULATIONS

Made Pursuant to the *Whitecap Dakota First Nation Cannabis Law*

### PART I

#### Title, Definitions, and Interpretation

#### 1.0 Short Title

1.1 These Regulations may be known as the "Cannabis Regulations," and may be cited as the "Regulations".

#### 2.0 Interpretation

2.1 Terms that are capitalized but not otherwise defined in these Regulations shall have the meaning ascribed to them in the Law. The following definitions apply in these Regulations:

(a) "**Cannabis Accessory**" means:

- i. a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of Cannabis; or
- ii. a thing that is deemed under Section 2.2 to be represented to be used in the consumption of cannabis.

(b) "**Law**" means the *Whitecap Dakota First Nation Cannabis Law*;

2.2 For the purposes of the definition cannabis accessory, a thing that is commonly used in the consumption of cannabis is deemed to be represented to be used in the consumption of cannabis if the thing is sold at the same point of sale as cannabis.

### PART II CONSUMPTION

#### 3.0 Consumption of Cannabis

3.1 Notwithstanding anything contained in the Law or the Regulations, a person may consume medical Cannabis in Public Places if:

- (a) the consumption is outdoors;
- (b) the consumption is not within fifteen (15) metres of the entrance of a building in a Public Place; and
- (c) the consumption does not take place at a school, school grounds, park, playground, sports field, in a vehicle, any place of public resort or amusement, or

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any such other location which a reasonable person would understand to be not in the best interests of the general public, Members or the First Nation.

### **PART III GENERAL LICENCE REQUIREMENTS**

#### **4.0 Application and Renewal**

- 4.1 An application or renewal of a Licence must be made in the form prescribed by the Board from time to time.
- 4.2 A Person may apply for a renewal of a Licence in the manner and form prescribed by the Board within three (3) months before the expiration of the Licence term.
- 4.3 An application for a Licence will not be considered by the Board until the following conditions are satisfied to the Board's discretion,
- (a) the Board receives payment from the applicant of the non-refundable annual Licence fee described in the Regulations; and
  - (b) the application is submitted in the form prescribed by the Board pursuant to Section 4.1.

#### **5.0 Term**

- 5.1 A Licence may be valid for a term of up to three (3) years from the date of issuance specified on the Licence. Date of issuance shall be determined at the discretion of the Board.

#### **6.0 Transfer or Sale of Licences**

- 6.1 A Licence is not transferable and/or may not be sold from one Person to another Person, from one Person's business to another Person's business, or from one Cannabis Store to another, whether operated by the Licence holder or not, without the prior written approval of the Board.

#### **7.0 Minors**

- 7.1 No Minor may enter or attend at a Cannabis Facility or Cannabis Store, and no Licence holder may allow a Minor to enter or attend at a Cannabis Facility or Cannabis Store.
- 7.2 A Licence holder shall not employ an individual who is a Minor to perform any services in relation to the operation of a Cannabis Facility or Cannabis Store.

#### **8.0 Packaging**

- 8.1 The immediate container in which a cannabis product, other than a cannabis plant or cannabis plant seeds, is packaged must
- (a) be opaque or translucent, such that the cannabis product is not recognizable through the package;

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- (b) prevent contamination of the cannabis;
- (c) in the case of dried cannabis, or a cannabis accessory that contains dried cannabis, keep the cannabis dry;
- (d) have a security feature that provides reasonable assurance to consumers that it has not been opened or tampered prior to receipt;
- (e) meet the requirements of a child resistant package under Subsections C.01.001(2) to (4) of the *Food and Drug Regulations* (Canada), as may be amended from time to time; and
- (f) not contain more than the equivalent of 30 g of dried cannabis.

### 9.0 Locations of Facilities, Stores, etc.

- 9.1 The location of any proposed Cannabis Facility or Cannabis Store will be determined by Council, through resolution, taking into consideration the following:
- (a) the proposed location in comparison to any other Cannabis Facility or Cannabis Store;
  - (b) the proximity of the proposed location to a school or school grounds;
  - (c) the proximity of the proposed location to any Private Property;
  - (d) the proximity of the proposed location to any parks, playground, sports field, or any other place whereby the public has access or a right to access; or
  - (e) any other consideration that Council determines to be relevant or needed.

### 10.0 Security

- 10.1 Subject to Section 10.4, a Licence holder shall maintain security measures necessary to ensure the security of the Cannabis Store and all Cannabis stored therein, including but not limited to locks on all doors, a security system and surveillance video recorders.
- 10.2 A Licence holder shall keep record of all known theft of Cannabis from the Cannabis Store, and will notify the police, as well as the Board, should such theft be greater than trivial or has become a habitual problem, with such determination to be made at the discretion of a License holder. Should the Board suspect, upon reasonable grounds, that there be an issue of theft in any Cannabis Store, the Board may take whatever reasonable measures may be required to satisfy the concern, including, but not limited to, revoking or suspending a Licence.
- 10.3 Notwithstanding Section 10.2:
- (a) the First Nation may implement a restorative justice program that must be followed by the Licence holder;
  - (b) A Licence holder may implement a restorative justice program for any employee who is caught or suspected of theft under \$5,000.

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10.4 The *Guide for Saskatchewan's Cannabis Wholesalers & LPs – Warehouse Security* guidelines and the *Cannabis Guidance – Warehouse and Retail Store Security* guidelines are attached hereto as Schedule "A", and are incorporated into these Regulations by reference, as amended from time to time, with any adaptations as the Board considers necessary.

### 11.0 Sales between Licence Holders

11.1 To the extent authorized by the Law or these Regulations, a holder of a Licence may sell Cannabis to a holder of another Licence on receipt of a written purchase order containing:

- (a) the date on which it is placed;
- (b) the name of the purchaser; and
- (c) the quantity and type of Cannabis.

11.2 A holder of a Licence for sale must refuse to fill a purchase order if the order does not meet the requirements of Section 11.1;

11.3 A holder of a Licence must retain a copy of the purchase order for two years.

## PART IV LABELLING REQUIREMENTS

### 12.0 Labelling

12.1 It is prohibited for a holder of a Licence to sell Cannabis that has not been packaged or labelled in accordance with these Regulations.

12.2 The following information must be included on the label that is applied to any container in which a cannabis product is packaged:

- (a) the name, telephone number and email address of the following:
  - i. in the case of a cannabis plant or cannabis plant seeds, the holder of a Licence for cultivation that cultivated the cannabis plant or cannabis plant seeds, or
  - ii. in the case of any other cannabis product, the holder of a Licence for processing that manufactured the product;
- (b) the class of cannabis set out in Appendix A to these Cannabis Regulations to which the cannabis that is in the immediate container belongs;
- (c) in respect of the product
  - i. the brand name,
  - ii. the lot number, preceded by one of the following designations:
    - 1. "Lot number",

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2. "Lot no.",
  3. "Lot", or
  4. "(L)",
  - iii. the recommended storage conditions,
  - iv. the packaging date, and
  - v. except in the case of a cannabis plant or cannabis plant seeds, either
    1. the expiry date in accordance with Section 12.3; or
    2. a statement that no expiry date has been determined;
  - (d) the warning "KEEP OUT OF REACH OF CHILDREN";
  - (e) a health warning message set out in the document entitled *Cannabis Health Warning Messages*, as may be amended from time to time and published by the Government of Canada on its website, that is
    - i. in the case of dried cannabis, or a cannabis accessory that contains dried cannabis, one of the health warning messages set out in Part 1 of the document, and
    - ii. in the case of any other cannabis product, one of the health warning messages set out in Part 2 of that document; and
  - (f) in the case of a cannabis product that contains THC in a concentration greater than 10 µg/g, the standardized cannabis symbol that must be obtained from the Board in the form of an electronic file.
- 12.3 The label of a container must not include an expiry date unless the holder of the Licence for processing that manufactured the cannabis product has data that establishes the stability period during which, after the cannabis is packaged in accordance with these Regulations and stored under its recommended storage conditions,
- (a) it maintains not less than 80% and not more than 120% of its THC content and CBD content; and
  - (b) its microbial and chemical contaminants remain within the generally accepted tolerance limits for herbal medicines for human consumption, as established in any publication referred to in Schedule B to the *Food and Drugs Act (Canada)*, as may be amended from time to time.
- 12.4 The holder of the Licence for processing that manufactured the cannabis product must, if they include an expiry date on the label of the container, retain a document that contains the data referred to in Section 12.3 for at least two years after the day on which the last sale or distribution of any portion of the lot or batch of the cannabis product with that expiry date takes place, other than for destruction.

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12.5 The health warning messages referred to in paragraph 12.2(e) must be displayed in rotation on each type of container of each brand name of the cannabis product that is packaged in a year, so that each health warning message is displayed, to the extent possible, on equal numbers of containers of that product.

### 13.0 Dried cannabis or fresh cannabis

13.1 In the case of dried cannabis or fresh cannabis — or a cannabis accessory that contains dried cannabis or fresh cannabis — that is in discrete units, the label of any container in which the cannabis product is packaged must also include the following information:

- (a) the net weight, in grams, of dried cannabis or fresh cannabis;
- (b) the number of units;
- (c) the net weight, in grams, of dried cannabis or fresh cannabis in each unit;
- (d) the quantity of THC, in milligrams, in each unit, preceded by "THC per unit";
- (e) the quantity of THC, in milligrams, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";
- (f) the quantity of CBD, in milligrams, in each unit, preceded by "CBD per unit"; and
- (g) the quantity of CBD, in milligrams, that each discrete unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit".

13.2 In the case of dried cannabis or fresh cannabis — or a cannabis accessory that contains dried cannabis or fresh cannabis — that is not in discrete units, the label of any container in which the cannabis product is packaged must also include the following information:

- (a) the net weight, in grams, of dried cannabis or fresh cannabis;
- (b) the percentage of THC w/w, preceded by "THC";
- (c) the percentage of THC w/w that the dried cannabis or fresh cannabis could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC";
- (d) the percentage of CBD w/w, preceded by "CBD"; and
- (e) the percentage of CBD w/w that the dried cannabis or fresh cannabis could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD".

### 14.0 Cannabis oil

14.1 In the case of cannabis oil — or a cannabis accessory that contains cannabis oil — that is in discrete units, the label of any container in which the cannabis product is packaged must also include the following information:

- (a) the net weight, in grams, and net volume, in millilitres, of cannabis oil;

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- (b) the number of units;
- (c) the net weight, in grams, and net volume, in millilitres, of cannabis oil in each unit;
- (d) the quantity of THC, in milligrams, in each unit preceded by "THC per unit";
- (e) the quantity of THC, in milligrams, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";
- (f) the quantity of CBD, in milligrams, in each unit, preceded by "CBD per unit";
- (g) the quantity of CBD, in milligrams, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit";
- (h) the carrier oil used;
- (i) the name of any food allergen, within the meaning of Subsection B.01.010.1(1) of the *Food and Drug Regulations (Canada)*, as may be amended from time to time, that is contained in the cannabis oil; and
- (j) in the case of cannabis oil that is not intended for oral administration, the warning "DO NOT SWALLOW".

14.2 In the case of cannabis oil — or a cannabis accessory that contains cannabis oil — that is in discrete units, the label of any container in which the cannabis product is packaged must also include the following information:

- (a) the net weight, in grams, and net volume, in millilitres, of cannabis oil;
- (b) the number of units;
- (c) the net weight, in grams, and net volume, in millilitres, of cannabis oil in each unit;
- (d) the quantity of THC, in milligrams, in each unit preceded by "THC per unit";
- (e) the quantity of THC, in milligrams, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";
- (f) the quantity of CBD, in milligrams, in each unit, preceded by "CBD per unit";
- (g) the quantity of CBD, in milligrams, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit";
- (h) the carrier oil used;
- (i) the name of any food allergen, within the meaning of Subsection B.01.010.1(1) of the *Food and Drug Regulations (Canada)*, as may be amended from time to time, that is contained in the cannabis oil; and
- (j) in the case of cannabis oil that is not intended for oral administration, the warning "DO NOT SWALLOW".

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### 15.0 Cannabis plants and seeds

- 15.1 In the case of a cannabis plant, the number of plants in the container must be included on the label that is applied to any container in which a cannabis product is packaged.
- 15.2 In the case of cannabis plant seeds, the number of seeds in the container must be included on the label that is applied to any container in which a cannabis product is packaged.

### 16.0 General Labelling Obligations

- 16.1 All information that is required to be included on a label must be clearly and prominently displayed and readily discernible under the customary conditions of purchase and use.
- 16.2 All information that is required to be included on a label, other than the brand name, the standardized cannabis symbol and the health warning message must meet the following requirements:
- (a) subject to subparagraph (e)(ii), it must be in a regular weight and width standard sans serif font, without italics, in the colour black and with leading of at least 7 points;
  - (b) it must be in one single font type;
  - (c) it must be in a type size of at least 6 points and smaller than the type size used for the health warning message;
  - (d) it must be on a white background that extends at least 6 points on all sides away from the information; and
  - (e) in the case of the information required under paragraphs 13.1(d) to (g), 13.2(b) to (e), 14.1(d) to (g) and 14.2(b) to (e), it must be
    - i. displayed on the principal display panel, or if there are separate principal display panels for English and French, on each principal display panel,
    - ii. in bold type, and
    - iii. at least 6 points away from any other information.

### 17.0 Brand name

- 17.1 The brand name that is required to be included on a label must meet the following requirements:
- (a) it must be in a type size that is smaller than or equal to the type size used for the health warning message;
  - (b) it must not be a colour that has the lustre of metal or has metallic properties in the ink, such as Pantone Metallics or Pantone Premium Metallics;



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- (c) it must not be a colour that is fluorescent, has fluorescent properties in the ink or has pigments that absorb ultraviolet energy and transmit it as a longer wavelength, such as the Pantone 800 series; and
- (d) it must be displayed only once on the principal display panel, or if there are separate principal display panels for English and French, only once on each principal display panel.

### **18.0 Standardized cannabis symbol**

18.1 The standardized cannabis symbol that is required to be included on a label must meet the following requirements:

- (a) it must appear in the upper left twenty-five percent (25%) of the principal display panel, or if there are separate principal display panels for English and French, in the upper left twenty-five percent (25%) of each principal display panel;
- (b) it must be at least 1.27 cm by 1.27 cm in size;
- (c) it must be displayed with a white border of at least 2 points on all sides;
- (d) it must be oriented in such a manner that its text is parallel with the base of the container; and
- (e) if a change is made to the size of the symbol, its dimensions must be proportional vertically and horizontally.

### **19.0 Health warning message**

19.1 The health warning message that is required to be included on a label must meet the following requirements:

- (a) it must be displayed on the principal display panel or, if there are separate principal display panels for English and French, on each principal display panel;
- (b) subject to paragraphs (c) and (d), it must be in a regular weight and width standard sans serif font, without italics, in the colour black and with leading of at least 8 points;
- (c) the word "WARNING" must be in upper case letters and bold type;
- (d) the first sentence must be in sentence case letters and bold type;
- (e) the second sentence must be in sentence case letters;
- (f) it must be in the same font type as that used for the information referred to in Section 16.2;
- (g) it must be in a type size of at least 7 points and the type size must be equal to or larger than the type size used for the brand name;

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- (h) it must be within a black border that is a solid line of at least 1 point and that has an inset of at least 6 points on all sides between the message and the border;
- (i) the background colour must be yellow with the CMYK value (C=0 M=0 Y=100 K=0);
- (j) the message must be
  - i. left-justified without hyphenation,
  - ii. parallel with the base of the container, and
  - iii. oriented in such a manner that it is readable from left to right when the container of the cannabis product is displayed; and
- (k) in the case where there is one principal display panel, there must be at least 3 points between the English and French message.

### 20.0 Attribution

20.1 Any attribution to the source of the health warning message that is included on the label must meet the following requirements:

- (a) it must be in the same font type as that used for the information referred to in Section 16.2;
- (b) it must be in a type size of at least 6 points and smaller than the type size used for the health warning message; and
- (c) it must be inside the border of the health warning message and be displayed in the bottom right corner below the health warning message text, with leading of at least 7 points.

### 21.0 Other information

21.1 Any other information that is included on the label must meet the following requirements:

- (a) it must be in regular weight and width standard sans serif font, without italics, and in black or white colour; and
- (b) it must be in a type size that is smaller than or equal to the type size used for the information referred to in Section 16.2.

### 22.0 Brand element

22.1 A label may include only one brand element, other than a brand name, if that brand element meets the following requirements:

- (a) it must be displayed only once on the principal display panel or, if there are separate principal display panels for English and French, only once on each principal display panel;

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- (b) it must not be a colour that has the lustre of metal or has metallic properties in the ink, such as Pantone Metallics or Pantone Premium Metallics;
- (c) it must not be a colour that is fluorescent, has fluorescent properties in the ink or has pigments that absorb ultraviolet energy and transmit it as a longer wavelength, such as the Pantone 800 series;
- (d) if the brand element is an image, the surface area must be smaller than or equal to the surface area of the standardized cannabis symbol; and
- (e) if the brand element is text only, its type size must be smaller than or equal to the type size used for the health warning message.

### 23.0 Image

- 23.1 The label may include an image that is printed in black and white and that provides instructions on how to open the container.
- 23.2 A representation, such as an illustration, sign, mark, symbol or design, that so closely resembles the standardized cannabis symbol that it is likely to be mistaken for that symbol must not appear on any container in which a cannabis product is packaged.

### 24.0 Insert or leaflet

- 24.1 Except as otherwise provided under the Law, any other enactment of the First Nation, any container in which a cannabis product is packaged must not include, or be accompanied by, an insert or leaflet.

## PART V QUALITY CONTROL

### 25.0 Quality Control

- 25.1 Each Licence holder must store Cannabis and anything that will be used as an ingredient in Cannabis under conditions that maintain their quality and integrity.
- 25.2 Each Licence holder must distribute Cannabis and anything that will be used as an ingredient in Cannabis under conditions that maintain their quality and integrity.
- 25.3 A Licence holder shall not sell, produce or distribute Cannabis, either for sale or as a sample, that:
  - (a) contains a poisonous or harmful substance; or
  - (b) is otherwise unfit for human consumption.

### 26.0 Buildings

- 26.1 Cannabis must be produced, packaged, labelled, stored, sampled and tested in a building or part of a building that is designed, constructed and maintained in a manner that permits those activities to be conducted appropriately and under sanitary conditions, and in particular that:

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- (a) permits the building or part of the building to be kept clean and orderly;
  - (b) permits the effective cleaning of all surfaces in the building or part of the building;
  - (c) prevents the contamination of Cannabis; and
  - (d) prevents the addition of an extraneous substance to the Cannabis.
- 26.2 Any building or part of a building where Cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that
- (a) filters air to prevent the escape of odours associated with Cannabis plant material to the outdoors;
  - (b) provides natural or mechanical ventilation with sufficient air exchange to provide clean air and to remove unclean air in order to prevent the contamination of the Cannabis or anything that may be used as an ingredient;
  - (c) is accessible and, if necessary for its cleaning, maintenance or inspection, is capable of being disassembled;
  - (d) is capable of withstanding repeated cleaning; and
  - (e) functions in accordance with its intended use.

### 27.0 Equipment

- 27.1 Cannabis must be produced, packaged, labelled, stored, sampled and tested using equipment that is designed, constructed, maintained, operated and arranged in a manner that:
- (a) permits the effective cleaning of its surfaces;
  - (b) permits it to function in accordance with its intended use;
  - (c) prevents the contamination of the Cannabis; and
  - (d) prevents the addition of an extraneous substance to the Cannabis.

### 28.0 Sanitation Program

- 28.1 Cannabis must be produced, packaged, labelled, stored, sampled and tested in accordance with a sanitation program that sets out:
- (a) procedures for effectively cleaning the building or part of the building in which those activities are conducted;
  - (b) procedures for effectively cleaning the equipment used in those activities;
  - (c) procedures for handling any substance used in those activities; and

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- (d) all requirements, in respect of the health and hygienic behaviour of the personnel who are involved in those activities, that are necessary to ensure that those activities are conducted in sanitary conditions.

### 29.0 Outdoor Cultivation

- 29.1 Sections 26.1(a) and (b), 26.2, and 28.1(a) do not apply to the outdoor cultivation, propagation or harvesting of Cannabis.

### 30.0 Testing

- 30.1 Testing for the following must be conducted on each lot or batch of Cannabis, other than Cannabis plants or Cannabis plant seeds, prior to the sale of the Cannabis:

- (a) the residues of solvents used in the production of Cannabis oil;
- (b) the microbial or chemical contaminants; and
- (c) the quantity or percentage of delta-9-tetrahydrocannabinol (THC), delta-9-tetrahydrocannabinolic acid (THCA), cannabidiol (CBD) and cannabidiolic acid (CBDA), as the case may be.

- 30.2 For the purposes of the testing referred to Section 30.1, a representative sample of the lot or batch must be taken.

- 30.3 A portion of the sample referred to in Section 30.1 must be retained for at least one month after the date of the last sale of any portion of the lot or batch and must be of sufficient quantity to enable a determination of

- (a) whether the lot or batch meets the requirements of these Regulations; and
- (b) the quantity or percentage of THC, THCA, CBD and CBDA, as the case may be.

## PART VI PROMOTION AND ADVERTISING

### 31.0 Advertising

- 31.1 Unless authorized under these Regulations, it is prohibited to promote Cannabis or a Cannabis Accessory or any service related to Cannabis, including:

- (a) by communicating information about its price or distribution;
- (b) by doing so in a manner that there are reasonable grounds to believe could be appealing to Minors;
- (c) by means of a testimonial or endorsement, however displayed or communicated;
- (d) by means of the depiction of an individual, character or animal, whether real or fictional;

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- (e) by presenting it or any of its brand elements in a manner that associates it or the brand element with, or evokes a positive or negative emotion about or image of, a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring; or
- (f) by promoting Cannabis, Cannabis Accessories, or a service related to Cannabis in a place where Minors are permitted by law to enter or attend.

### ***Exception – Informational Promotion – Cannabis***

31.2 A Person that is authorized to produce, sell or distribute Cannabis pursuant to these Regulations may promote Cannabis by means of informational promotion or brand-preference promotion if the promotion is:

- (a) in a communication that is addressed and sent to an individual who is 19 years of age or older and is identified by name;
- (b) in a place where Minors are not permitted by law to enter or attend;
- (c) communicated by means of a telecommunication, where the Person responsible for the content of the promotion has taken reasonable steps to ensure that the promotion cannot be accessed by a Minor;
- (d) in a prescribed place; or
- (e) done in a prescribed manner.

### ***Exception – Informational Promotion – Cannabis Accessory and Services***

31.3 A Person may promote a Cannabis Accessory or a service related to Cannabis by means of informational promotion or brand-preference promotion if the promotion is:

- (a) in a communication that is addressed and sent to an individual who is 19 years of age or older and is identified by name;
- (b) in a place where Minors are not permitted by law to enter or attend;
- (c) communicated by means of a telecommunication, where the Person responsible for the content of the promotion has taken reasonable steps to ensure that the promotion cannot be accessed by a Minor;
- (d) in a prescribed place; or
- (e) done in a prescribed manner.

### ***Exception – Point of Sale – Cannabis***

31.4 A Licence holder may promote Cannabis at the point of sale if the promotion indicates only its availability, its price, or its availability and price.

### ***Exception – Point of Sale – Cannabis Accessory and Services***

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- 31.5 A Licence holder that sells a Cannabis Accessory or provides a service related to Cannabis may promote it at the point of sale if the promotion indicates only its availability, its price or its availability and price.

### ***Exception – Brand Element on Other Things***

- 31.6 A Person may promote Cannabis, a Cannabis Accessory, or a service related to Cannabis by displaying a brand element of Cannabis, of a Cannabis Accessory, or of a service related to Cannabis on a thing that is not Cannabis or a Cannabis Accessory, other than:
- (a) a thing that is associated with Minors;
  - (b) a thing that there are reasonable grounds to believe could be appealing to Minors; or
  - (c) a thing that is associated with a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring.

### **32.0 False Promotion – Cannabis**

- 32.1 It is prohibited to promote Cannabis in a manner that is false, misleading or deceptive or that is likely to create an erroneous impression about its characteristics, value, quantity, composition, strength, concentration, potency, purity, quality, merit, safety, health effects or health risks.

### **33.0 False Promotion – Cannabis Accessory**

- 33.1 It is prohibited to promote a Cannabis Accessory in a manner that is false, misleading or deceptive or that is likely to create an erroneous impression about its design, construction, performance, intended use, characteristics, value, composition, merit, safety, health effects or health risks.

### **34.0 Use of Certain Terms**

- 34.1 It is prohibited to use any term, expression, logo, symbol or illustration proscribed by the Board from time to time in the promotion of Cannabis, a Cannabis Accessory, or a service related to Cannabis. A holder of a Licence must retain a sample or copy of any promotional materials for at least two years after the last day on which the promotion in question takes place.

### **35.0 Sponsorship**

- 35.1 It is prohibited to display, refer to, or otherwise use any of the following, directly or indirectly in a promotion that is used in the sponsorship of a Person, entity, event, activity or facility:
- (a) a brand element of Cannabis, of a Cannabis Accessory, or of a service related to Cannabis; and
  - (b) the name of a Person that:
    - i. produces, sells or distributes Cannabis;

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- ii. sells or distributes a Cannabis Accessory; or
- iii. provides a service related to Cannabis.

### **36.0 Name of Facility**

36.1 It is prohibited to display on a facility, as part of the name of the facility or otherwise, if the facility is used for a sports or cultural event or activity:

- (a) a brand element of Cannabis, a Cannabis Accessory or a service related to Cannabis; or
- (b) the name of a Person that:
  - i. produces, sells or distributes Cannabis;
  - ii. sells or distributes a Cannabis Accessory; or
  - iii. provides a service related to Cannabis.

### **37.0 Publication, etc. of Prohibited Promotions**

37.1 It is prohibited to publish, broadcast or otherwise disseminate, on behalf of another Person, with or without consideration, any promotion that is prohibited under Part V of the Regulations.

37.2 Section 36.1 does not apply in respect of a Person that disseminates a promotion if they did not know, at the time of the dissemination, that it includes a promotion that is prohibited under Part V of the Regulations.

### **38.0 Inducements**

38.1 Unless authorized under these Regulations, it is prohibited for a holder of a Licence:

- (a) to provide or offer to provide Cannabis or a Cannabis Accessory if it is provided or offered to be provided without monetary consideration or in consideration of the purchase of any thing or service or the provision of any service;
- (b) to provide or offer to provide any thing that is not Cannabis or a Cannabis Accessory, including a right to participate in a game, draw, lottery or contest, if it is provided or offered to be provided as an inducement for the purchase of Cannabis or a Cannabis Accessory; or
- (c) to provide or offer to provide any service if it is provided or offered to be provided as an inducement for the purchase of Cannabis or a Cannabis Accessory.

## **PART VII CANNABIS STORES**

### **39.0 Minors**



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- 39.1 The Licence holder or the Licence holder's employee shall demand that each individual attending at a Cannabis Store provide proof of age prior to entering any portion of the Cannabis Store in which Cannabis is on display or sold and, in reaching the conclusion that an individual is not a minor, the Licence holder or Licence holder's employee shall examine the proof of age and have reason to believe that it is authentic.
- 39.2 A Minor is not permitted to operate a motor vehicle while knowingly possessing or having a person within the motor vehicle who is knowingly in possession of Cannabis.

### **40.0 Possession**

40.1 Subject to the any terms in Licence, a holder of a Licence for operating a Cannabis Store may possess:

- (a) an unlimited number of Cannabis Plants; and
- (b) an unlimited quantity of Cannabis;

to the extent that the possession of Cannabis Plants and Cannabis relates to the operations of the Cannabis Store.

### **41.0 Storage and Sale of Cannabis**

41.1 All Cannabis offered for sale from a Cannabis Store must be from producers who are:

- (a) authorized to produce Cannabis under any of the MMAR, MMPR or ACMPR;
- (b) members of the Cannabis Growers of Canada; or
- (c) licensed pursuant to the Law and Regulations.

41.2 All Cannabis offered for sale from a Cannabis Store must:

- (a) have undergone and passed all testing requirements as contemplated in the Regulations; and
- (b) be accompanied by the relevant test results at the point of sale.

41.3 A holder of a Licence for operating a Cannabis Store may sell Dried Cannabis to an individual who is not a Minor for recreational purposes, provided the amount of Cannabis sold does not exceed thirty (30) grams per sale.

41.4 A holder of a Licence for operating a Cannabis Store may sell Cannabis in any form for medical purposes to an individual who is not a Minor upon the individual producing:

- (a) a copy of a medical document issued pursuant to the ACMPR;
- (b) a written prescription from a medical professional;
- (c) a written diagnosis from a medical professional of a medical condition treatable by Cannabis; or

## WDFN Cannabis Regulations

(d) a written recommendation of a traditional healer recognized by Council.

41.5 In addition to Cannabis, a holder of a Licence for operating a Cannabis Store may sell Cannabis Accessories, services related to Cannabis, and retail merchandise.

41.6 A holder of a Licence for operating a Cannabis Store shall not sell or distribute Cannabis to an individual who appears to be intoxicated, under the influence of an illicit substance or who interferes with or disrupts the orderly conduct of the Licence holder's business.

### **42.0 Hours of Operation**

42.1 Subject to any further restrictions of the Board, every Licence holder may open the Cannabis Store and sell Cannabis in the Cannabis Store:

(a) between 8:00 a.m. and 12:00 a.m. of the following day.

42.2 A Licence holder must open the Cannabis Store and allow for the sale of Cannabis in the Cannabis Store for a minimum of six (6) hours a day for a minimum of five (5) days a week.

### **43.0 Inspections**

43.1 If the Board, or a person duly appointed by the Board, reasonably believes that a Person is carrying on business as a Cannabis Store in a manner that is contrary to the Law or these Regulations, the Board may inspect the Cannabis Store without notice to the Person, and that Person shall:

(a) permit and assist in all inspections requested by the Board; and

(b) immediately furnish to the Board all identification, information, or documentation related to the inspection or licensing requirement.

43.2 The Board may inspect a Cannabis Store during regular business hours by providing twenty-four (24) hours' notice to the Licence holder who is licensed to operate the Store, to ensure that the distribution and sale of Cannabis by the Licence holder complies with the Law and these Regulations. Upon receipt of a notice to inspect from the Board, the Licence holder shall:

(a) permit and assist in all inspections requested by the Board;

(b) immediately furnish to the Board all identification, information or documentation related to the inspection; and

(c) immediately furnishing or assisting the Board with any reasonable request made by the Board to determine compliance.

43.3 A Person shall not provide false or misleading information with regard to any matter in connection with an inspection.

### **44.0 Record Keeping**

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- 44.1 A holder of a Licence for operating a Cannabis Store shall maintain the following records in respect of each producer who supplies Cannabis to the Cannabis Store:
- (a) the name of the producer;
  - (b) the date the Cannabis was received from the producer;
  - (c) the date and location of Cannabis production;
  - (d) the strain of the Cannabis received from the producer; and
  - (e) the quantity of Cannabis received from the producer.
- 44.2 If, in accordance with a Medical Document, a holder of a Licence for operating a Cannabis Store must retain a record of the following information:
- (a) their name or initials;
  - (b) the name and address of the practitioner who issued the Medical Document;
  - (c) the name and address of the person for whom the drug was dispensed;
  - (d) the name, quantity and form of the Cannabis; and
  - (e) the date on which the Cannabis is dispensed.
- 44.3 A holder of a Licence for operating a Cannabis Store shall maintain the following information:
- (a) the quantity of Cannabis purchased in a calendar month;
  - (b) the quantity of Cannabis sold in a calendar month; and
  - (c) the quantity of Cannabis destroyed in a calendar month.
- 44.4 The information maintained in Section 43.3 must be supplied to the Board, in an electronic format, no later than fifteen (15) days after the month in which the information relates.

## PART VIII CANNABIS CULTIVATION

### 45.0 Definition of production site

- 45.1 In this Part, "cultivation site" means, in respect of a holder of a Licence for the cultivation of Cannabis, the site, if any, for the production of Cannabis plants that is specified in their Licence.

### 46.0 Possession

## WDFN Cannabis Regulations

46.1 Subject to the terms of the Licence, a holder of a Licence for the cultivation of Cannabis may possess:

- (a) an unlimited number of Cannabis Plants;
- (b) an unlimited quantity of Cannabis;

to the extent that the possession of Cannabis Plants and Cannabis relates to the operations of cultivation.

### **47.0 Outdoor Cultivation Site**

47.1 Subject to the terms of the Licence, a cultivation site may be indoors or outdoors.

### **48.0 Inspections**

48.1 If the Board reasonably believes that a Person is carrying on business as a Cannabis Facility in a manner that is contrary to the Law or these Regulations, the Board may inspect the Cannabis Facility without notice to the Person, and that Person shall:

- (a) permit and assist in all inspections requested by the Board; and
- (b) immediately furnish to the Board all identification, information, or documentation related to the inspection or licensing requirement.

48.2 The Board may inspect a Cannabis Facility during regular business hours by providing twenty-four (24) hours' notice to the Licence holder who is licensed to operate the Facility, to ensure that the distribution and sale of Cannabis by the Licence holder complies with the Law and these Regulations. Upon receipt of a notice to inspect from the Board, the Licence holder shall:

- (a) permit and assist in all inspections requested by the Board; and
- (b) immediately furnish to the Board all identification, information or documentation related to the inspection.

48.3 A Person shall not provide false or misleading information with regard to any matter in connection with an inspection.

### **49.0 Record Keeping**

49.1 A Licence holder for the cultivation of Cannabis shall maintain the following:

- (a) the quantity of Cannabis cultivated, propagated or harvested in every calendar month;
- (b) the date, quantity and strain of Cannabis sold to a Cannabis Store or a Cannabis Facility; and
- (c) the name and contact information of a purchaser of Cannabis;

for a period of two years following the date of the record.

**PART IX  
POSSESSING CANNABIS LICENCE**

**50.0 Possession**

50.1 Subject to the terms of the Licence, a holder of a Licence for the processing of Cannabis may possess:

- (a) an unlimited number of Cannabis Plants;
- (b) an unlimited quantity of Cannabis;

to the extent that the possession of Cannabis Plants and Cannabis relates to the operations of processing Cannabis.

**51.0 Quality Assurance Person**

51.1 A holder of a Licence for processing must retain the services of at least one individual as a quality assurance person who has the training, experience and technical knowledge related to quality control of Cannabis.

51.2 The quality assurance person is responsible for:

- (a) assuring the quality of the Cannabis before it is made available for sale; and
- (b) investigating every complaint received in respect of the quality of the Cannabis and, if necessary, taking corrective and preventative measures.

**52.0 Record Keeping**

52.1 A Licence holder for the cultivation of Cannabis shall maintain the following:

- (a) the quantity of Cannabis cultivated, propagated or harvested in every calendar month;
- (b) the date, quantity and strain of Cannabis sold to a Cannabis Store or a Cannabis Facility; and
- (c) the name and contact information of a purchaser of Cannabis;

for a period of two years following the date of the record.

**PART X  
ENFORCEMENT**

**53.0 Enforcement and Inspection**

53.1 The Council may, by way of Council resolution in writing:

- (a) designate persons or any class of persons to act as Peace Officers for the purposes of the Law and these Regulations; and

## WDFN Cannabis Regulations

- (b) in designating a person or class of person pursuant to Section 53.1(a), impose any restrictions on the powers of the person or class of persons that the Council considers appropriate.
- 53.2 For the purposes of conducting an inspection to determine compliance with the Law and these Regulations, the Board, or a person authorized by the Board to do so, may, at any reasonable time, enter premises where there are reasonable grounds to believe that the sale, supply, production or storage of Cannabis has occurred or is occurring to do the following:
- (a) inspect records found in the premises and remove them for the purposes of inspection or making copies or extracts;
  - (b) require any person in the premises to produce identification for the purposes of inspection;
  - (c) inspect the premises and the operations carried on there;
  - (d) open a receptacle or package found in the premises;
  - (e) examine any substance or thing found in the premises, take a sample of any substance for the purposes of testing and analysis and remove any thing for inspection;
  - (f) inspect or ascertain the chemical or physical properties of a substance found in the premises;
  - (g) if the Board finds Cannabis that, in the opinion of the Board, is possessed in contravention of the Law or these Regulations, the Board may seize and remove the Cannabis and the packages containing it;
  - (h) make a record, including an audio or video record, of the premises or of any thing or person in the premises.
- 53.3 When conducting an inspection under subsection (1), the Board, or the person authorized by the Board to do so:
- (a) must carry, and present on request, identification in a form the director establishes,
- and
- (b) may request and receive the assistance of a peace officer.
- 53.4 If the director removes records, Cannabis or other things or takes samples under section 53.2, the Board must:
- (a) give a receipt for the records, Cannabis or things removed or samples taken, and
  - (b) return the records or things removed, other than the Cannabis or samples, within a reasonable time.

**PART XI  
OFFENCES AND PENALTIES**

**54.0 Compliance**

54.1 No holder of a Licence shall fail to comply with:

- (a) the Law or these Regulations;
- (b) any terms or conditions imposed on the Licence; or
- (c) all other laws regulating the holder of the Licence.

54.2 No Person shall fail to comply with the Law or these Regulations.

**55.0 Obstruction**

55.1 No Person shall obstruct a Peace Officer who is acting pursuant to the authority of the Law or these Regulations.

55.2 No Person shall knowingly make a false or misleading statement to a Peace Officer or produce a false document or thing to a Peace Officer.

**56.0 Offence by Corporate Officers**

56.1 If a corporation commits an offence pursuant to the Law, the Regulations or a breach of a term or condition of a Licence, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on conviction to the penalties provided by the Law whether or not the corporation has been prosecuted or convicted.

**57.0 Offence by Employees or Agents**

57.1 In a prosecution for an offence pursuant to the Law or these Regulations, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, even if the employee or agent is not identified or is not prosecuted for the offence

**58.0 Fines (Purpose)**

58.1 The purpose of a fine specified in a cannabis payment ticket is to promote compliance with the Law and these Regulations.

**59.0 Fines (Amounts)**

59.1 When issuing a cannabis payment ticket, the Peace Officer shall charge the fine prescribed by the Board and specified in Schedule "B" hereto.

**60.0 Offences**

60.1 If a Peace Officer or the Board believe on reasonable grounds that a Person has committed a violation under the Law or these Regulations, the Peace Officer or the Board may issue, and must provide the person with, a notice of violation that:

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- (a) sets out the person's name, gender, date of birth, address and, if applicable, relationship to the Licence holder;
- (b) identifies the alleged violation;
- (c) sets out the fine for the violation that the person is liable to pay;
- (d) sets out the particulars concerning the time and manner of payment;

### **61.0 Appeal of Ticket**

61.1 A Person who receives a cannabis payment ticket or a written notice pursuant to Sections 59.1 or 60.1 may, within fifteen (15) days after receiving the written notice, apply for an oral hearing of appeal by:

- (a) filing an application with Council; and
- (b) paying any prescribed fee.

61.2 Upon receipt of a written notice of appeal pursuant to Section 61.1 the Council shall:

- (a) establish the Appeal Committee within five (5) calendar days; and
- (b) forward a copy of the notice of appeal to the Appeal Committee immediately thereafter.

### **62.0 Conduct of Appeal**

62.1 The Appeal Committee shall hold a hearing within fifteen (15) days of receipt of a written appeal filed in accordance with Section 61.1.

62.2 After reviewing the appeal and hearing evidence at the appeal hearing from the appellant, the Board, and anyone else having relevant information, the Appeal Committee may confirm, vary, substitute or cancel the Board's decision.

62.3 The Appeal Committee shall issue its decision in writing to the appellant, the Board and Council within fourteen (14) days of the hearing being closed.

### **63.0 Court Orders**

63.1 The Board or a Peace Officer may apply to a judge of the Court for all or any of the following:

- (a) an order compelling a Person to comply with the Law, the Regulations, or a term or condition of a Licence;
- (b) an order restraining any person from proceeding contrary to the Law, the Regulations, or a term or condition of a Licence.

63.2 On an application pursuant to this Section, the judge of the Court may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.



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### 64.0 Limitations Period

- 64.1 No penalty is to be assessed by the Board more than one (1) year after the date on which the failure to comply with any prescribed provision of the Law or these Regulations or any term or condition of a Licence first came to the knowledge of the Board.

## PART XII GENERAL


### 65.0 Miscellaneous

- 65.1 Nothing in these Regulations relieves a Person from complying with any applicable law, regulation, by-law, or any requirements of any lawful permit, guideline, order, consent or other direction.
- 65.2 Where these Regulations refers to another law, act, regulation, or agency, it includes reference to any law, act, regulation, or agency that may be substituted, therefore.
- 65.3 Every provision of these Regulations is severable from all other provisions, if any provision of the Regulations is declared invalid for any reason by a Court, all other provisions of these Regulations shall remain valid and enforceable.
- 65.4 It is the intention of Board that all offences created by these Regulations be interpreted to be strict liability offences.
- 65.5 Words and phrases in these Regulations importing the singular number only shall include the plural and vice versa, and words importing the masculine gender shall include the feminine gender and neuter.
- 65.6 In the event of any conflict or inconsistency between these Regulations and any First Nation laws, federal laws, provincial laws, or permits, guidelines, orders, consents or other directions, these Regulations shall prevail to the extent of such conflict or inconsistency.

### 66.0 Effective Date

- 66.1 These Regulations comes into force on the 4th day of the month of March, in the year 2021.

These Regulations are hereby passed at a duly convened meeting of the Whitecap Dakota First Nation Cannabis Board, as established pursuant to the Law, this 4th day of the month of March, in the year 2021.

  
WDFN Cannabis Board, Chair

# WDFN Cannabis Regulations

## **APPENDIX "A"** **Cannabis Classes** **Classes of Cannabis That an Authorized Person May Sell**

Item	Class of Cannabis
1	dried cannabis
2	cannabis oil
3	fresh cannabis
4	cannabis plants
5	cannabis plant seeds

**SCHEDULE "A"**  
**Security Guidelines**

**Cannabis Guidance – Warehouse and Retail Store Security**

**The following requirements shall apply to:**

- **Cannabis wholesale and warehousing;**
- **Standalone retail sites; and**
- **Off-site retail storage facilities.**

1. Wholesale, warehousing, standalone retail, and off-site storage.

a. Alarm System

A cannabis permitted premises must be protected by a professionally installed and monitored alarm system with the following minimum features. All malfunctions must be immediately repaired by a professional technician.

- i. detectors to indicate unauthorized attempts to tamper with, open, enter or penetrate
- ii. perimeter entry points and secure cannabis storage area;
- iii. detectors to indicate unauthorized movement within the premises including the secure
- iv. cannabis storage area;
- v. capability to detect any attempts to tamper with the system or malfunctions with the system;
- vi. smoke detectors in any areas where cannabis is stored; and
- vii. panic/robbery button(s) installed at all point of sale positions (retail store only).

b. Digital Camera Security System

A cannabis permitted premises must have a digital camera security system with the following minimum features. All malfunctions must be immediately repaired by a professional technician.

- i. cameras that are enclosed in the ceiling or domes and linked to a monitor and recording system located in a secure area within the premises;
- ii. cameras and lighting that are positioned to clearly capture 24-hour coverage of activity identifying all individuals entering/exiting the premises and all individuals within the premises including the:

## WDFN Cannabis Regulations

- point of sale area(s) (retail stores only);
  - customer area(s) (retail stores only);
  - areas where cannabis is displayed for sale (retail stores only);
  - receiving area(s);
  - offices and other staff area(s); and
  - any cannabis storage areas.
- iii. system must have on premises sixty (60) calendar day minimum recording retention in a common format that is easily accessible, captured, viewed and capable of producing real time digital colour video (meaning at least 30 frames per second) and still images that clearly identify individuals and contain a time/date stamp not obscuring the image;
- iv. recording and viewing system must be located in a secure location within the premises along with a maintained surveillance plan showing camera numbers, locations, coverage, authorized users list and operating instructions;
- v. if the permittee has knowledge, or should have had knowledge, of any pending criminal or regulatory investigation, recorded data and relevant information must not be destroyed after the sixty (60) calendar day minimum recording retention period and must be provided to Whitecap and police upon request; and
- c. Perimeter Security
- i. Standalone cannabis retail stores, off-site retail storage facilities, and cannabis wholesale warehouses must secure perimeter entry points against unauthorized access by, at a minimum:
- ii. commercial grade non-residential locks on all access points with secured tamper-proof strike plate and locking device that penetrates the doorframe at minimum 1.25cm;
- iii. an overhead receiving door (if required) constructed of commercial grade material and locking device sufficient to secure against unauthorized access;
- iv. perimeter locking devices not on a master key system;
- v. loading/unloading bay and entry door areas located outside the secure structure for cannabis storage, with any walls or interior access doors adjoining the secure structure meeting the requirements outlined in subsection d below; and

## WDFN Cannabis Regulations

- vi. a customer entrance constructed of commercial grade material sufficient to secure against unauthorized access (retail stores only).

### d. Cannabis Storage

Any areas within a cannabis permitted premises where cannabis is stored, including any receiving or staging areas where cannabis is kept after operating hours, must be fully enclosed in a secure structure that meets the following minimum requirements (this secure structure may form the external walls of the building if preferred, excluding any loading/unloading bays and entry door areas). Cannabis edibles and samples are exempt from this requirement and may remain in the retail area after operating hours.

Subsection e below outlines an alternative option available to retail stores only. Whitecap may also consider other alternatives on a case-by-case basis as long as they provide security at least equivalent to the requirements outlined below.

- i. walls, floors, and ceiling constructed of Flattened Metal Mesh, EMMA 557-99 style ¾-9F, nominal strand thickness of 0.120" (0.108" to 0.132") diamond opening of 0.563" x 1.688" or Sheet steel 16ga, A1008/A1008M (cold rolled) or A1011/A1011M (hot rolled) or equivalent;
- ii. if sheet steel or steel mesh is used, it is to be mounted on the outside (attack side) of the room, including the ceiling, in the following manner:
  - support all edges by anti-spread bracing, studs or corners;
  - align sheet edges at every vertical and horizontal seam on centre-line of steel stud or anti-spread bracing; and
  - secure all sheets with screws, welds or rivets.
- iii. 16 gauge (1.6mm) steel sheets, HR Commercial quality, ASTM A366, matte finish, shall extend 1200mm around doorframe on inside of room and attached to the doorframe with screws, welds or rivets. Where the dimensions of the secure structure do not allow for 1200mm clearance around the doorframe, the steel sheets may be bent to conform to the inside of the secure structure walls and/or ceiling);
- iv. minimum 1.5mm (16 gauge) hollow metal door(s) not exceeding 91.44cm (36 inches) width with 1.9mm (14 gauge) metal frame;
- v. commercial grade door lock(s) with locking device(s) that penetrates doorframe at least 1.25cm and tamper- proof hinges;
- vi. locking device(s) not on a master key system; and

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- vii. ventilation openings with one-dimension 15cm (6 inches) or less and the total
- viii. area of the opening not exceeding 619 cm<sup>2</sup> (96 inches<sup>2</sup>).
- e. Alternative Cannabis Storage (retail stores only)

Instead of a storage room, a retail store may choose to secure cannabis in a burglar resistant safe or similar device (such as a locking refrigeration unit) that meets the following requirements:

- i. the safe is a burglary resistant safe (according to either standard ULC-S324 or standard UL-687 rated at TL-15 or higher;
- ii. has a locking system that secures the door in multiple parts of the door structure as well on more than one axis; and
- iii. the safe weighs at least 341 kilograms or is anchored to the permanent structure of the building in such a manner that it cannot be removed without first opening the door to the safe.

### **The following requirements shall apply to:**

- **Integrated Retail sites.**

#### 2. Integrated Retail

##### a. Alarm System

Integrated cannabis retail store permitted premises must be protected by a professionally installed and monitored alarm system with the following minimum features. All malfunctions must be immediately repaired by a professional technician.

- i. motion sensors that indicate entry at common entry points (such as exterior windows and doors); and
- ii. panic/robbery button(s) installed at all cannabis point of sale positions.

##### b. Digital Camera Security System

- c. The cannabis permitted premises must have a digital camera security system with the following minimum features. All malfunctions must be immediately repaired by a professional technician.

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- i. cameras that are enclosed in the ceiling or domes and linked to a monitor and recording system located in a secure area within the premises;
  - ii. cameras and lighting that are positioned to clearly capture 24-hour coverage of activity identifying all individuals entering/exiting the cannabis permitted premises and any secure storage areas, and all individuals within the cannabis retail area including the:
    - cannabis point of sale area(s);
    - any areas where cannabis is visibly displayed for sale; and
    - any areas where cannabis is stored.
  - iii. system must have on premises sixty (60) calendar day minimum recording retention in a common format that is easily accessible, captured, viewed, and capable of producing real time digital colour video and still images that clearly identify individuals and contain a time/date stamp not obscuring the image;
  - iv. recording and viewing system must be located in a secure location within the premises along with a maintained surveillance plan showing camera numbers, locations, coverage, authorized users list and operating instructions.
  - v. if the permittee has knowledge, or should have had knowledge, of any pending criminal or regulatory investigation, recorded data and relevant information must not be destroyed after the sixty (60) calendar day minimum recording retention period and must be provided to Whitecap and police upon request; and
- d. Perimeter Security

A cannabis permitted premises must secure perimeter entry points against unauthorized access by ensuring that all entry points are secured with commercial grade non-residential locks.

e. Cannabis Storage

Cannabis products, excluding edibles and display samples, must be secured after operating hours using one of the methods described below. Whitecap may also consider equivalent methods on a case-by-case basis.

- i. a commercial safe, gun locker, or similar device located within the cannabis permitted premises that meets the following minimum requirements:

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- is rated by the Underwriter Laboratories (UL) as a residential storage container (according to standard UL-1037) or a burglary resistant safe (according to either standard ULC-S324 or standard UL-687).
  - has a locking system that secures the door in multiple parts of the door structure as well as on more than one axis; and
  - weighs at least 341 kilograms or is anchored to the permanent structure of the building in such a manner that it cannot be removed without first opening the door to the safe.
- ii. a secure storage area within the same facility as the cannabis permitted premises that meets the following minimum requirements:
- minors are prohibited access at all times;
  - is used to store only products owned by the cannabis retail store permittee and intended for sale in the cannabis permitted premises and any related online store; is protected by an alarm system and digital camera security system as described in subsections a and b above;
  - is secured using 1.5mm (16 gauge) hollow metal doors with 1.9mm (14 gauge metal frame and tamper-proof hinges, plus commercial grade nonresidential locks, a secured tamper-proof strike plate and locking device that penetrates the doorframe at minimum 1.25cm; and
  - is secured with automatic locking doors on any entry points that open onto an unpermitted area or an area not monitored by staff at all times.
- iii. An off-site secure storage facility that is authorized as part of the cannabis retail store permit and meets the off-site storage security requirements outlined in subsection 1 above, as well as any operating requirements described elsewhere in this document.



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**SCHEDULE "B"**

**Fine Amounts**

<b>OFFENCE</b>	<b>FINE AMOUNT (\$)</b>
Failure by employee or agent Licence holder to uphold requirements of the Law.	\$1,000.00
Offence under the Law	\$1,000.00
Offence under Part V of the Law	\$5,000.00