



ASSEMBLY OF FIRST NATIONS
Special Chiefs Assembly

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

*Ottawa is located on the unceded unsundered
Territory of the Algonquin People.*

ASSEMBLÉE DES PREMIÈRES NATIONS
Assemblée extraordinaire des Chefs

Du 5 au 7 décembre 2023

Centre Shaw - Ottawa (Ontario)

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du peuple algonquin.*



Cannabis Act Legislative Review Dialogue Session and Technical Update

Monday, December 4, 2023



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Cannabis Legislative Review – Expert Panel

Kari Nesbit, A/Manager, Indigenous Affairs, Controlled Substances and Cannabis Branch, Health Canada

- An independent, five-member Expert Panel will lead a credible and inclusive review of the *Cannabis Act*. The Expert Panel has a mandate to:
 - assess the cannabis legislative framework
 - engage with stakeholders to gather perspectives that will inform the review
 - provide expert advice to the Ministers on progress made towards achieving the Act's purpose
- The Panel will provide independent, expert advice to Ministers on progress made towards achieving the Act's objectives and will help identify priority areas for improving the functioning of the legislation.





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JULY 11-13, 2023 • HALIFAX CONVENTION CENTRE – HALIFAX, NOVA SCOTIA

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The Cannabis Act: Roles and Responsibilities – Federal partners

Public Health

Health Canada

Responsible for administering the Cannabis Act, Cannabis Regulations, Industrial Hemp Regulations, Cannabis Fees Order, and Cannabis Tracking System Order, including inspections and enforcement of regulatory requirements

Canadian Institutes of Health Research

Funds research to address knowledge gaps and provides the evidence-base for federal, provincial and territorial policy

Public Health Agency of Canada

Provides public health knowledge translation and public education

Indigenous Services Canada / Crown-Indigenous Relations and Northern Affairs Canada

Indigenous health services, land management economic participation, community governance, engagement

Public education/awareness; funding provinces/territories to enhance law enforcement training (Drug Recognition Expert and Standard Field Sobriety Testing (SFST) and purchase devices; no cost, expedited record suspensions for simple possession of cannabis; leading federal, provincial and territorial actions to disrupt illegal online sales

Royal Canadian Mounted Police

Criminal Enforcement of the Cannabis Act; collects/analyzes intelligence on illegal market/organized crime; security screening reports for HC; prevention and outreach activities

Canada Border Services Agency

Traveler awareness; point of entry processing; prevent/interdict cross-border movement of cannabis; training (e.g., SFST) for officers

Public Prosecution Service of Canada

Criminal prosecution of cannabis-related offences



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AFN Legal Review

Adam Williamson, Senior In-House Counsel, AFN Legal



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AFN Resolutions

- 12/2020, *First Nations Representation in Cannabis Legislation*
- 101/2019, *Assembly of First Nations Priorities on Cannabis and Legislative Amendments to Bill C-45, the Cannabis Act*
- 4/2019, 02/2018 and 90/2018, *Recognition and support of First Nations' right to exercise complete jurisdiction over cannabis cultivation, processing and retail operation in First Nations territories.*
- 54/2019, 90/2018, and 123/2016, *Frameworks and incentives that support First Nations' participation in the cannabis sector, while respecting autonomy and sovereignty*
- 48/2019, *Support of cannabis as a part of a global Indigenous culture and rights.*



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Rebuilding the Foundation: *Cannabis Act*

- Facilitate by Amy Lickers, A.L.L. Professional Services
- The AFN is undertaking a project to develop a Scoping Paper for the *Cannabis Act* review.
 - The Scoping Paper provides the opportunity to hear from First Nations cannabis businesses, and the impacts of the *Indian Act*, including relating to licensing and jurisdictions.
 - The AFN has heard from participants of the Virtual Cannabis Town Hall on November 22, 2023
 - The Chiefs Committee on Cannabis have discussed the *Cannabis Act* and will be meeting with the Expert Panel to provide insight into the review of the *Cannabis Act*.



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Questions?