

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT)
REGULATIONS, 2022

REQUIREMENTS AND ELIGIBILITY CRITERIA

Eligibility Criteria

1. Applicants must be the holder of a valid licence issued by the Cannabis Licensing Authority, pursuant to the Interim Regulations for medical, therapeutic or scientific purposes, i.e.:
 - i. Cultivator’s Licence
 - ii. Processing Licence
 - iii. Retail Licence
 - iv. Research and Development Licence
2. Local authorized agents acting on behalf of foreign/overseas entities handling ganja for the purposes of transit and/or trans-shipment
3. A duly accredited tertiary institution or government entity authorized by the Authority to provide analytical services in respect of ganja to ensure product safety and compliance with local and international quality standards.

Note:

- i. An individual, director or shareholder under a licensed company **cannot** apply for a permit or authorization.
- ii. The holder of a transportation licence (only) shall **not** be eligible to apply for an import or export permit.
- iii. An applicant disqualified under regulations 3(7) of the Interim Regulations from applying for or holding and licence issued under the Interim Regulations is **not** eligible to apply.
- iv. An applicant whose licence issued under the Interim Regulations has been suspended or revoked is **not** eligible to apply.

Requirements for Importation of Ganja:

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|----|--|--------------------------|
| 1. | Completed application form as set out in the First Schedule. | <input type="checkbox"/> |
| 2. | The export authorization issued by a competent authority in the exporting country. | <input type="checkbox"/> |

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| | <p>Note: Article 30, 5 of the Single Convention states, “Before issuing an export authorization the parties shall require an import certificate, issued by the competent authorities of the importing country or territory and certifying that the importation of the drug or drugs referred to therein, is approved and such certificate shall be produced by the person or establishment applying for the export authorization...”</p> <p>Therefore, the following are required:</p> <p>(i) A licence issued by the Competent Authority from the exporting company overseas.</p> <p>(ii) Invoice from the exporting country consisting of the quantity, item(s) to be exported, cost, correct information pertaining to the importer.</p> | <input type="checkbox"/> <input type="checkbox"/> |
| 3. | The phytosanitary certificate or diversion certificate issued by a competent authority in the exporting country, where required by the appropriate entity under the Plants (Quarantine) Act. | <input type="checkbox"/> |
| 4. | Current Tax Compliance certificate for the applicant. | <input type="checkbox"/> |
| 5. | Full particulars of the ganja for importation including: <ul style="list-style-type: none"> (i) The description of the ganja, indicating whether it is in the form of seeds, plants or dried ganja (ii) The quantity of the ganja (iii) The strain of the ganja (iv) The international Non-proprietary Name of the ganja (v) The percentage of the THC and CBD of the ganja | <input type="checkbox"/> |
| 6. | Certificate of Analysis of the items to be imported. | <input type="checkbox"/> |
| 7. | Details outlining the purpose of the importation of the items listed | <input type="checkbox"/> |
| 8. | Written confirmation that the ganja being imported is not for the purpose of re-exporting | <input type="checkbox"/> |
| 9. | The relevant permit application fee set out in the Second Schedule. | <input type="checkbox"/> |

Requirements for Exportation of Ganja:

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|----|---|--------------------------|
| 1. | Completed application form as set out in the First Schedule. | <input type="checkbox"/> |
| 2. | Proof of registration as an Approved Exporter, this is obtained from JAMPRO. <i>I.e. The Exporter Registration Certificate</i> | <input type="checkbox"/> |
| 3. | A copy of the import authorization/permit issued by a competent authority in the importing country authorising the importation of the ganja for medical, therapeutic, or scientific purposes. | <input type="checkbox"/> |

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|----|---|--|
| 4. | Where required by the importing country, copy of phytosanitary certificate issued by the appropriate entity under the Plants (Quarantine) Act in relation to the ganja to be exported. | <input type="checkbox"/> |
| 5. | A copy of the relevant airway bill or bill of lading (as the case may be). | <input type="checkbox"/> |
| 6. | Current Tax Compliance Certificate for the applicant | <input type="checkbox"/> |
| 7. | Full particulars of the ganja for exportation including: (i) The description of the ganja, indicating whether it is in the form of seeds, plants or dried ganja (ii) The quantity of the ganja (iii) The strain of the ganja (iv) The international Non-proprietary Name of the ganja (v) The percentage of the THC and CBD of the ganja | <input type="checkbox"/> |
| 8. | Pay the relevant permit application fee set out in the Second Schedule. | <input type="checkbox"/> |
| 9. | Has the applicant has held a licence, permit, or other authorization, that has been suspended, cancelled, or revoked under the Act, the Interim Regulations or these Regulations? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Requirements for applying for Transit or Trans-shipment.

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|----|---|--------------------------|
| 1. | Completed application form as set out in the First Schedule. | <input type="checkbox"/> |
| 2. | Export authorisation issued by the competent authority in the country from which the ganja is exported. | <input type="checkbox"/> |
| 3. | Import authorisation issued by competent authority in the country of final destination | <input type="checkbox"/> |
| 4. | Submit other documents as the Authority may require for the purpose of determining the application. | <input type="checkbox"/> |
| 5. | The ganja is in the course of transit or trans-shipment permit from a country from which it may be lawfully exported. | <input type="checkbox"/> |
| 6. | Pay the relevant trans-shipment fee set out in the Second Schedule | <input type="checkbox"/> |
| 7. | Details pertaining to Logistics and route | <input type="checkbox"/> |

Authorisation Application and Issuance Fees

Fees are quoted in United States Dollars (USD) and may be paid in USD or the equivalent in Jamaican currency at the prevailing rate of exchange based on the Bank of Jamaica's weighted average.

| TYPE OF APPLICATION | APPLICATION PROCESSING FEE | Amount Paid |
|---|----------------------------|--------------------------|
| Import Permit | US\$30.00 | <input type="checkbox"/> |
| Export Permit | US\$30.00 | <input type="checkbox"/> |
| Transit Permit | US\$50.00 | <input type="checkbox"/> |
| Trans-shipment Permit | US\$50.00 | <input type="checkbox"/> |
| Diversion Certificate | US\$30.00 | <input type="checkbox"/> |
| Variation of Permit | US\$50.00 | <input type="checkbox"/> |
| Application for the re-issuance of Permit | US\$50.00 | <input type="checkbox"/> |
| PERMIT FEES | | |
| Grant of Import Permit | US\$50.00 | <input type="checkbox"/> |
| Grant of Export Permit | US\$50.00 | <input type="checkbox"/> |
| Grant of Diversion Certificate | US\$30.00 | <input type="checkbox"/> |
| Grant of Transit Permit | US\$50.00 | <input type="checkbox"/> |
| Grant of Trans-shipment Permit | US\$50.00 | <input type="checkbox"/> |

Other Considerations

1. A person who proposes to transit or trans-ship any ganja for medical, therapeutic or scientific purposes, through ports in Jamaica shall do so only through a local authorised agent who shall, at least ninety days before the scheduled date of transit or trans-shipment, apply to the Authority for a transit or trans-shipment permit.
2. Where the local authorised agent to whom a transit or trans-shipment permit is issued intends to transit or trans-ship ganja for medical, therapeutic or scientific purposes, in more than one

consignment, a separate transit or trans-shipment permit shall be obtained by the local authorised agent in respect of each such consignment.

3. Every holder of a transit or trans-shipment permit shall, not less than three days before the arrival in any port in Jamaica of the consignment to which the permit relates, confirm the arrival to the Authority in such manner as the Authority may approve.
4. No ganja for medical, therapeutic or scientific purposes, shall be transited or trans-shipped into Jamaica unless the local authorised agent to whom the ganja is consigned is in possession of a valid and subsisting transit or trans-shipment permit granted under paragraph.
5. A transit or trans-shipment permit shall be treated as spent once any consignment of ganja is transited or trans-shipped in pursuance of the permit.
6. Unless earlier spent, surrendered, suspended, cancelled or revoked a transit or trans-shipment permit, shall be valid for a period of six months from the date of issue.