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KINGSTON, JAMAICA



CLA Facilitates Imports of Ganja in Accordance with Gazetted Regulations

The Cannabis Licensing Authority is aware of an article published in the Jamaica Observer, regarding the grant of an import authorization to a company to import cannabis from Canada into Jamaica”. This article has sparked a wider conversation regarding the authorisation of cannabis imports into Jamaica. The conversation would, however, benefit from some additional context.

The Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022 empowers the Cannabis Licensing Authority to grant permits for the importation, exportation, and transshipment of ganja, in quantities determined by the Authority, based on each application. The Regulations were developed in consultation with industry players to facilitate trade including the export of cannabis from Jamaica to international markets. It is based on the recognition that our local cannabis industry exists within a larger, global sector with which it must interact to ensure viability and sustainability. At its core, the Regulations seek to stimulate industry growth by improving ease of trade, increasing competition, and carving out Jamaica’s space in the legal global cannabis marketplace.

The Regulations provide for the Authority to issue import and export authorisations. Of note, each authorisation issued to a licensee permits a single consignment as required by the Single Convention on Narcotic Drugs, 1961 (Single Convention, 1961 Convention, or C61), to which Jamaica has acceded. A single authorisation does not permit unlimited import of cannabis, but rather a single consignment. To date, the Authority has approved two hundred and twenty-four (224) export authorisations for ganja, and four (4) authorisations for the import of ganja.

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The material concern of the “local ganja farmers” being cited in the article in question, is not the granting of an authorisation for importation, but rather the granting of an authorisation to allow an import from a country that has been said to have declined to accept imports from Jamaica.

The Authority wishes to clarify that it is unaware of any specific restrictions on importing Jamaican cannabis into Canada. Canada was the first country to which local entities requested and received export authorisations, and those have been followed by other export authorisations over the years, with a total of nine (9) authorisations for export to Canada being granted. Should there have been refusal by Canada to issue import permits for product from Jamaica, the Authority is not aware of these proposed consignments or reason for refusal, as no requests for permits to export to Canada have been received since 2020.

An export Authorisation is only issued to an entity after it has furnished an import authorisation from the receiving country and that authorisation is subsequently verified by the Authority as legitimate. Further, per the Single Convention, the restrictions for importing countries are that the exporting country must be a signatory to the 1961 Convention and that it does not exceed the computed annual estimate of the quantity of cannabis necessary for medical and scientific purposes, submitted to the International Narcotics Control Board by the importing country.

The company to which the import authorization was granted is a company registered with the Companies Office of Jamaica in accordance with the applicable Regulation, namely the Dangerous Drugs (Cannabis Licensing) (Interim) Regulations 2016, which requires ‘substantial’ ownership and control by persons ‘ordinarily resident’ in Jamaica, or a cooperative with proof of registration under the Co-operative Societies or Friendly Societies Act.

The request was made in full compliance with the applicable regulations and international treaties, and it is against that background that the import authorization was granted.

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Notwithstanding, the Authority, recognising the importance of facilitating growth and development in the local market, and in line with the policy directive issued by our parent ministry, the Ministry of Industry, Investment and Commerce (MIIC), will continue to refine its administrative procedures in the implementation of the provisions of the Regulations.

The overarching mission of the CLA is to promote growth and development in the local medical cannabis industry and all actions taken by the Authority are done in furtherance of that mission. The CLA in accordance with the Dangerous Drugs (Cannabis Licensing) (Interim) Regulations 2016, allows all applicants for a licence to apply for a deferment of fees, which allows them to enter the industry, and pay the requisite fees over a period of eleven (11) months.

The CLA continues to collaborate with and support the initiatives of the Ministry of Industry, Investment and Commerce. Two (2) such initiatives are pending Cabinet approval. Firstly, the Alternative Development Pilot Project, which targets traditional cannabis growing communities and fosters partnerships to allow for community-based industry participation by small farmers. This Project allows a traditional community to cultivate and share resources and provides a market within the licensed regime. The other project is the Cultivator's Transitional Special Permit, which features reduced financial and infrastructural requirements for entry. This will make it easier for the traditional farmers to enter the industry and will facilitate a transition into the licensed regime after a year. This project precedes the Cultivator's Transitional Special Permit Regulations which are currently before the Office of the Chief Parliamentary Counsel.

###END###

Notes to Editors:

About the Cannabis Licensing Authority: The CLA, an agency of the Ministry of Industry, Investment and Commerce, which was created by the Dangerous Drug Act, has powers to make and enforce regulations for licences, permits and authorisations for the cultivation, processing, distribution, sale and transportation of ganja, for medical scientific and therapeutic purposes.

About Jamaica's UN Drug Treaty Obligation: Parties to the 1961 Single Convention undertake to limit the production, manufacture, export, import, distribution and stocks of, trade-in and use and possession of the

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controlled drugs so that they are used exclusively for medical and scientific purposes. The production and distribution of controlled substances must be licensed and supervised.

Interviews: Available on request

Images: n/a

Website: www.cla.org.jm

Social Media: Facebook: [facebook.com/TheCannabisLicensingAuthority](https://www.facebook.com/TheCannabisLicensingAuthority)

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