

CANNABIS TRANSPORTATION REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Application
4. Non-application
5. Prohibition on the transportation of cannabis
6. Application for a license to transport cannabis
7. Approval and terms of licence
8. Security measures and policies
9. Marketing, branding and advertising
10. Security clearances
11. Refusal to grant security clearance
12. Employee requirements and duties
13. Organisational security plan
14. Vehicle inspection
15. Receiving cannabis for transportation
16. Transporting cannabis
17. Delivering cannabis
18. Theft or loss of cannabis or cannabis product
19. Reporting and disclosure
20. Retention of documents and data

CANNABIS TRANSPORTATION REGULATIONS**Citation**

1. This Regulation may be cited as the Cannabis Transportation Regulations.

Interpretation

“**Act**” means the Cannabis Act, No. [] of 2024;

“**armed security officer**” means a person, duly licensed to carry a firearm, employed to safeguard and protect the crew and consignment.

“**cannabis regulations**” means all regulations under the Cannabis Act, No. [] of 2024;

“**cannabis**” has the same meaning as in the Cannabis Act, No. [] of 2024;

“**driver**” means a person duly licensed for the type of vehicle used by the licensed transport holder, employed to drive the vehicle and verify and sign the manifest;

“**holder of a certificate of recognition**” means all persons listed on the certificate including those employed by the holder of the certificate of recognition;

“**manifest**” means a document listing the cargo and personnel to be transported.

“**operations area**” means an area of the site, other than a storage area, where cannabis is present as a result of any activities conducted under the specified licence and includes grow area.

“**porter**” means a person employed to load and unload the vehicle;

“**Regulated Substances Authority**” (RSA) means the Regulated Substances Authority established under the Regulated Substances Act, No. [26] of 2023;

“**security clearance**” means a clearance granted by the RSA that is required by any and all individuals engaging in any activities within the cannabis industry, as a means of assessing risk to public health or safety, including the risk of cannabis being diverted to an illicit market or activity.

2. In this Regulation –

Application

3. These Regulations apply to the transportation of cannabis or cannabis products between –

- (a) the Central Trading Entity;
- (b) the holder of a Cultivation Licence;
- (c) the holder of a Cannabis Processing Licence.
- (d) The port of exportation and importation purposes
- (e) A Cannabis dispensary

Non-application

4. These Regulations do not apply to the transportation –

- (a) of cannabis cultivated for religious purposes pursuant to the Public Consumption Space and Religious Cannabis Regulations; or
- (b) industrial hemp, or;
- (c) holders of industrial hemp licences.

Prohibition on the transportation of cannabis

- 5. (1)** Notwithstanding the general prohibition on the transportation of cannabis provided in the Act and these Regulations, a person may be permitted to transport cannabis or cannabis product in accordance with the provisions of these Regulations.
- (2)** The transportation of cannabis in excess of the amounts permitted for possession in the Act is prohibited.
- (3)** The transportation of cannabis products provided, in excess of the amounts provided in the schedule of these regulations is prohibited.

Application for a license to transport cannabis

6. –(1) A person who wishes to transport cannabis or cannabis product may apply for a license to transport cannabis.
- (2) A person who wishes to receive a license to transport cannabis shall make an application to the RSA using FORM 1.
- (3) An application made under subsection (2) shall evidence –
- (a) that the applicant has the title, lease or other document demonstrating possessory interest in any vehicle to be used for secure transportation of cannabis or cannabis products;
 - (b) that the applicant has completed an organizational security plan as prescribed in section 13;
 - (c) That the applicant has applied and qualifies for automobile liability insurance sufficient to insure all delivery vehicles, their occupants and contents in the amount of at least \$1,000,000 per occurrence or accident;
 - (d) That the applicant certifies that he holds no economic interest in any other licensee or applicant for license under the Act.

Approval and terms of licence

7. –(1) The RSA, subsequent to the review and evaluation of an application for a Cannabis Transportation Licence may issue a licence in keeping with its powers provided under the Regulated Substances Act and the Act.
- (2) A licence issued subject to subsection (1) shall be valid for three years. In the first instance and for a maximum of five years after renewal.

Security measures and policies

8. The holder of a Cannabis Transportation Licence shall ensure that the following security measures are observed and maintained at all times that cannabis is transported from one licensed entity to another –
- (a) The holder of a transportation license shall not transport cannabis or cannabis products for or on behalf of any other license holder under the Act, which the cannabis transportation holder has an economic interest in.
 - (b) There must not be any passenger or operator in a vehicle transporting cannabis or cannabis product that is not employed by the cannabis transportation licensee while cannabis or cannabis product is present.
 - (c) All vehicles used to transport cannabis or cannabis product shall be crewed at all times when carrying cannabis or cannabis product by at least three (3) personnel, namely:
 - (i) a driver;
 - (ii) a porter;
 - (iii) an armed security officer.
 - (d) Vehicles used to transport cannabis or cannabis product shall not be left unattended during an operation to secure the transport of cannabis or cannabis product.
 - (e) Vehicles used to transport cannabis or cannabis product shall have a section that is fully enclosed and windowless with a secure lockbox or secure cargo area which shall be maintained in a sanitary manner and kept locked whilst transporting cannabis or cannabis product.

- (f) The holder of a cannabis transportation license shall not allow for the transportation of any cargo except the cannabis or cannabis product listed in the manifest.
- (g) Cannabis product that is transported by the license holder shall not be transported unless packaged in sealed tamper evident containers that are not accessible to transport personnel during transit and clearly marked with:
 - (i) The identification number of the originating licensed entity;
 - (ii) The weighed quantity of cannabis or cannabis product;
 - (iii) The type of cannabis or cannabis product.
- (h) Vehicles used to transport cannabis or cannabis product, must be equipped with the following:
 - (i) An alarm system to include a duress/panic switch accessible to the driver in the event of hold up;
 - (ii) A Global Positioning System (GPS) device used to monitor location and routes;
 - (iii) Mobile video surveillance equipment sufficient to monitor and record images of:
 - (1) the interior locked compartment;
 - (2) exterior of the vehicle adjacent to the loading/unloading door;
 - (3) The forward and rear facing view from the vehicle dashboard and tail area respectively.

- (iv) A means of controlling the temperature inside the area where the cannabis or cannabis product will be stored appropriate for maintaining the correct temperatures for storage of cannabis and cannabis products;
- (v) A means of communicating with the office of the cannabis transportation license holder, the originating and receiving licensed entities and emergency services; and
- (vi) A minimum of 1 fire extinguisher per crew compartment.
- (vii) Notwithstanding the provisions of this section a license to transport cannabis or cannabis products with a total value of less than \$50,000 in a single consignment may be issued to an applicant {Seek clarification}

Marketing, branding and advertising

9. –(1) Advertising, branding and marketing of vehicles or uniforms used by the holder of a cannabis transportation license shall be in keeping with the Cannabis Advertising and Marketing Regulations.
- (2) Notwithstanding subsection (1), no vehicle used to transport cannabis or cannabis product shall be identifiable as such by any sign, marking or advertising on the exterior of the vehicle. Additionally, no uniform to be worn by the occupants of the transport vehicle shall have badges, markings or other outwardly visible features that identify the individual as one engaged in the transportation of cannabis.

Security clearances

10. –(1) The RSA shall assess and where applicable grant security clearances for all directors.

- (2) A holder of a Transportation Licence shall notify the RSA of all employees or perspective employees of the holder of a Transportation Licence. Security clearance shall be required for all employees as part of the hiring process.
- (3) The RSA upon receipt of the notice shall conduct due diligence checks on the persons referenced in the notice and if satisfied may issue a security clearance authorizing that person to engage or be employed with the holder of a Transportation Licence.
- (4) An individual shall not be granted a security clearance or shall have the security clearance revoked if –
- (a) he/she has been convicted of a criminal offence, except where the offence is a minor traffic offence or has been spent in accordance with the Criminal Records (Rehabilitation of Offenders) Act, Cap 3.13;
 - (b) he/she has been convicted of an offence under the Act;
 - (c) the RSA has reasonable grounds to believe that the individual poses a risk to public health or safety, including the risk of cannabis being diverted to an illicit market or activity; or
 - (d) he/she is terminated or ceases to be employed with the holder of a Transportation Licence

Refusal to grant security clearance

- 11.** –(1) If the RSA intends to refuse to grant a security clearance, the RSA must provide the applicant, holder of the Transportation Licence, with a written notice of the refusal.
- (2) In the event a security clearance is not granted –
- (a) the RSA has the right to deny the application for recognition as a holder of a Transportation Licence;

(b) the holder of a Transportation Licence shall not hire or continue to employ the individual.

(c) the applicant may resubmit a request, if the conditions of refusal no longer exist or apply.

Employee requirements and duties

12. All employees of a cannabis transportation license holder shall complete and receive certification for no less than eight (8) hours of training specifically tailored to the proper procedures to be followed when transporting cannabis to include but not be limited to –

- (a) The applicable rules surrounding the transportation of cannabis;
- (b) The correct response to emergency such as breakdown or fire;
- (c) Familiarisation with the organizational security plan;
- (d) Effective route planning for security transportation;

Organisational security plan

13. -(1) Pursuant to section 6(b) the applicant shall submit to the RSA, an organisational security plan that includes the following –

- (a) A risk assessment, setting out the known and anticipated risks with proposed countermeasures and liability protection.
- (b) The details of the vehicles to be used by the applicant to include but not be limited to: make; model; engine size; service history and inventory;
- (c) The proposed containers for cannabis or cannabis product to be transported in and their correct method of use;
- (d) The interior layout of the vehicles to include a description of the intended manner of storage of the proposed containers;

- (e) The method of securing and sealing the containers at 8(g)
 - (f) The seating arrangements within the vehicle to accommodate the personnel listed at 8(c);
 - (g) The electronic security measures fitted to the vehicle with particular reference to –
 - (i) Details of the GPS tracking ability by the transportation license holder over its vehicle, to include real time geo-location and the ability to save and store routes.
 - (ii) Installation and monitoring of the panic alarm and response options.
 - (iii) Ability of the crew to be able to utilise the CCTV system to monitor views outside of the vehicle from their seating location and remotely access images from the premises of the transportation license holder;
 - (h) Intended methods of communication for the crew of the vehicle;
 - (i) Any ballistic protection afforded to the crew and vital components of the vehicle;
 - (j) Any run-flat tyres fitted to the vehicle;
 - (k) Any additional locking devices fitted to the vehicle.
- (2) The organisational security plan shall include –
- (a) The Standard Operating Procedures (SOP's) of the applicant with particular reference to the actions on –
 - (i) robbery
 - (ii) breakdown
 - (iii) fire
 - (iv) inspection

- (b) The syllabus for the training and certification referenced at Section 12(1).
 - (c) The specific duties and tasks assigned to each crew member.
- (3) The organisational security plan must also demonstrate the following –
- (a) that it can meet the physical security requirements outlined in section **Error!**
Reference source not found..
 - (b) The proposed means of maintaining environmental conditions within the vehicle conducive to the transportation of cannabis or cannabis product.

Vehicle inspection

- 14.** –(1) Pursuant to the Act, the RSA may conduct an inspection of the vehicle(s), in order to verify the details of the organisational security plan and ensure –
- (a) that all necessary equipment is present and serviceable as per the vehicle inventory;
 - (b) That the service history is up to date;
 - (c) That the vehicle is maintained in a sanitary and appropriate condition for the transportation of cannabis or cannabis product.

Receiving cannabis for transportation

- 15.** –(1) A holder of a Cannabis Transportation Licence must, prior to the transportation of cannabis or cannabis product, complete a manifest in form which includes in information in subsection (g).
- (2) At a minimum the manifest shall contain:
- (b) The name of the driver, porter and security officer;
 - (c) The name, address and contact number of the originating licensed entity;
 - (d) The name, address and contact number of the receiving licensed entity;

- (e) The weight and description of each individual package that is part of the shipment, and the total number of individual packages.
 - (f) The date and time the shipment is placed on board the vehicle;
 - (g) The intended route to be taken from the originating to the receiving licensed entity;
- (3) The manifest is to be signed at the originating licensed entity at the time of collection by –
- (a) An authorised employee of the originating licensed entity from which the consignment is to be transported;
 - (b) The porter of the cannabis transportation license holder.
- (4) Upon satisfaction that the cannabis or cannabis product is verified against the manifest the cannabis or cannabis product may be loaded into the vehicle and secured.
- (a) The cannabis transportation license holder shall only load cannabis or cannabis product if first satisfied that the area designated for loading is:
 - (b) situated within a secure area;
 - (c) well lit;
 - (d) monitored by CCTV sufficient to record images of the individuals conducting the loading operation.

Transporting cannabis

- 16.** –(1) Notwithstanding the occurrence of breakdown, accident, robbery, traffic, diversion or other emergency the driver shall follow the route prescribed in the manifest without deviation or unauthorised stops.
- (2) If, whilst transporting cannabis or cannabis product, the driver is required to stop the vehicle for any reason for longer than 30 minutes, he shall immediately notify the

- transport licensee holder and shall prepare and file a written report detailing the nature and circumstances surrounding the need for the unauthorised stop with the transport licensee holder within 7 days.
- (3) If, due to unforeseen circumstances, the driver is required to alter or amend the route after the transportation operation has commenced, the driver shall file a written report detailing the nature and circumstances surrounding the need for the change of route with the transport licensee holder within 7 days.

Delivering cannabis

17. –(1) The cannabis transportation license holder shall only deliver cannabis or cannabis product if first satisfied that the area designated for un-loading is:
- (a) situated within a secure area;
 - (b) well lit;
 - (c) monitored by CCTV sufficient to record images of the individuals conducting the un-loading operation.
- (2) Upon delivery the porter of the cannabis transportation license holder and an authorised employee of the receiving licensed entity shall coordinate to:
- (a) Inspect all seals and other tamper-proof devices used are intact;
 - (b) Verify and document the type and quantity of the transported cannabis or cannabis product as per the manifest;
 - (c) Sign the manifest to indicate that the delivery has been completed;

- (d) The authorised employee of the receiving entity upon completion of delivery shall update their inventory to reflect the newly arrived cannabis or cannabis product.

Theft or loss of cannabis or cannabis product

18. –(1) A holder of a Cannabis Transportation Licence must, if they experience a theft of cannabis or a loss of cannabis shall –

- (a) Make a contemporaneous record of the circumstances surrounding the theft/loss;
 - (b) Notify the Royal Saint Lucia Police Force immediately after becoming aware of its theft or loss; and
 - (c) Provide the RSA with a written notice per subsection (b) within seven (7) days.
- (2) The RSA may order such enquiry into any theft or loss of cannabis or cannabis product which it may think.

Reporting and disclosure

19. –(1) A holder of a Licence provided for under these Regulations must, inform the RSA of any change to information provided to or otherwise known to be held by the RSA relevant to the activities of the Licence holder under the Act or these Regulations.

- (2) The information referenced in subsection (1) shall include subject matter pertaining to –
- (b) a change of employees of a licence holder;
 - (c) a change to the criminal history of an employee of a licence holder;
 - (d) a change in the organizational security plan;
 - (e) a change to the directors, beneficial owners, shareholder or management of a licence holder.

- (f) Theft or loss of cannabis or cannabis product as per section 18.

Retention of documents and data

20. – (1) A Cannabis Transportation Licence holder is required to keep and maintain in its possession for a minimum period of three (3) years:

- (a) All books and records necessary to fully account for each transaction conducted under its licence;
 - (b) A copy of each transportation manifest for each transport of cannabis and/or cannabis product;
 - (c) Employment records;
 - (d) Records of any theft, loss, or other unaccountability of any cannabis and/or cannabis products.
- (2) A visual recording made under section 8(1)(h)(iii) must be retained by the Cannabis Transportation Licence holder for at least 28 days after the day on which it is made.
- (3) GPS geo-location data and routes shall be stored for no less than 28 days after the day on which it was generated.
- (4) Event logs from the alarm system shall be retained for no less than 28 days from the date on which the event occurred.

[Insert **Regulated Substances Authority**
Logo Saint Lucia
Here]

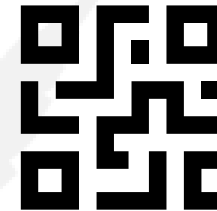
Licence No.

CANNABIS TRANSPORTATION LICENCE

LICENCE HOLDER:
[Insert name here]

DATE OF ISSUE: [YYYY-MM-DD]
DATE OF EXPIRY: [YYYY-MM-DD]

LICENCE SITE:
[Insert location here]



This licence authorizes the above mentioned holder to engage in transportation of cannabis and cannabis products, until the expiration date of this licence. This licence issued in accordance with the *Cannabis Act* and *Cannabis Regulations* and is not transferable to any other person. This licence shall be displayed in a prominent place at all times at the licenced site. The licence shall be subject to suspension or revocation if the licence is determined to be in violation of the *Cannabis Act* and *Cannabis Regulations* adopted thereunder.

Name

Chief Executive Officer
Regulated Substance Authority

[Insert Seal Here]

Name

Chief Licensing Officer
Regulated Substance Authority

[Form serial #]

(Section

Error! Reference source not found.)

FORM 1 RSAXXX

**APPLICATION FOR TRANSPORTATION LICENCE***(Please complete and submit this application in electronic or printed form).***Please read the following explanatory notes carefully:**

a) Missing information or documents may result in a delay in the processing of the application. Please ensure that all documents listed in the applicable checklist is attached upon submission of the application.

b) Must provide original copies of the following document EXCEPT where stated otherwise:

Application checklist for applicants applying as a Transportation Licence:

- ☐ Organizational chart
- ☐ Application fee of [\$1500 USD]
- ☐ Two of the IDs detailed in Section 1 (Certified Copies)
- ☐ Completed Form 1 # RSAXXX

1. APPLICANT INFORMATION**1.1 Full Name**

Last Name

First name

Other name(s)

1.2 Address

Permanent address

City

Home phone

Cell phone

Work phone

Facsimile

Email address

[Insert RSA Logo here]

1.4 Identification

National Insurance Number (NIC)

Please provide 2 forms of ID and include a copy of each ID for which you have provided the details:

National ID Card Number

Exp. Date (DD-MM-YY)

Passport Number

Exp. Date (DD-MM-YY)

Driver's Licence Number

Exp. Date (DD-MM-YY)

2. COMPANY INFORMATION

2.1 Name of entity

2.2 Type of Organization

2.3 Current position

2.4. Registered address

Address

City

2.5 Registered mailing address (if different from 1.4 above)

Address

City

2.6 Business contact information

Telephone

Facsimile

E-mail address

Website

[Insert RSA Logo here]

The undersigned hereby affirms that the information contained in this application is true and accurate as of the date shown below and the undersigned is authorised to execute this application

This day of ,

APPLICANT

Name

Signature

[Insert RSA Logo here]

[Form serial #]

Form 3

**RECORD KEEPING ATTESTATION***(Please complete and submit this form in electronic or printed form).*

Please complete the required information. If a section is not applicable, indicate it as such.
All fields indicated by an asterisk (*) are mandatory.

1. GENERAL INFORMATION**1.1 Full Name**

Last Name*

First name*

Other name(s)

1.2 Name of entity**1.3 Type of company (business activity or purpose)****2. RECORD KEEPING METHOD**

2.1. What is your recording keeping method?*

☐

Paper-based

☐

Electronic based

☐

Other (please specify below)

[Insert RSA Logo here]

[Form serial #]

3. ATTESTATION

The undersigned hereby attests that:

- All applicable documents and information required under the Cannabis Regulations that must be retained by a holder of a Transportation Licence will be retained accordingly for the noted retention periods as outlined by the respective regulations.
- All applicable documents and information will be entered into the seed-to-sale tracking system as specified by the RSA.

This day of ,

APPLICANT/PERSON AUTHORIZED BY APPLICANT

Name

Signature

[Insert RSA Logo here]