

CONSUMPTION SPACE REGULATIONS

CONSUMPTION SPACE REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation

PART 1

PUBLIC CONSUMPTION

3. Public use prohibition
4. Application for licenced public consumption space
5. Approval and terms of licence
6. Physical security measures and requirement of licence holder
7. Security clearance
8. Sale of cannabis at a licenced public consumption space
9. Transportation to and from a licenced public consumption space
10. Marketing, branding, and advertising

PART 3

GENERAL REQUIREMENTS

11. Required documentation and information
12. Theft or loss of cannabis/ or cannabis product(s)
13. Retention of documentation
14. Reporting and disclosure
15. Offences
- 16.

CONSUMPTION SPACE REGULATIONS

PUBLIC CONSUMPTION SPACE AND RELIGIOUS CANNABIS REGULATIONS

Citation

1. This Regulation may be cited as the public consumption space and religious cannabis Regulations.

Interpretation

2. In this Regulation –

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

“**adult**” means a person 21 years of age and over;

“**cannabis licence**” means a holder all cannabis licences and a holder of a Certificate of Recognition as a Central Trading entity;

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

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

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

“**young persons**” has the same meaning as the Cannabis & Industrial Hemp Act, No. [] of 2024.

PART 1

PUBLIC CONSUMPTION

Public use prohibition

3. –(1) The use of cannabis or cannabis products in public is strictly prohibited.
(2) Use referenced in subsection (1) includes smoking, and vaping.

CONSUMPTION SPACE REGULATIONS

- (3) Notwithstanding the general prohibition of public consumption of cannabis provided in the Act and these Regulations, a person may be permitted to consume cannabis in public if the space is a licence public consumption space or therapeutic Lounge.

Application for licenced public consumption space

4. –(1) A person who wishes to permit consumption of cannabis or cannabis products in a public place may apply to have the public place licenced as a therapeutic Lounge.

- (2) A person who wishes to permit consumption of cannabis or cannabis products at a public event. May apply to have the public event licensed as

- (a) Large Events Consumption Space (250 pax and above)
- (b) Small Events Consumption Space (250 pax)
- (c) Consumption Zone Licence

- (3) A person who wishes to receive a licence to permit consumption by persons in a public place pursuant to section 4(1) & (2) shall make an application to the Regulated Substances Authority (RSA) using Form 1 ID [] as prescribed in Schedule 1.

- (4) An application made under subsection (2) shall be made no less than 30 days before the proposed event or intended use of the public consumption space.

- (5) An applicant for a Therapeutic Lounge must , evidence –

- (a) that the applicant owns or has a legal right to the property intended to be used as a public consumption space, and in the case of a legal right, that the owner is aware and consent to the intended use;
- (b) that the property intended to be used as a public consumption space is not accessible to children and

CONSUMPTION SPACE REGULATIONS

- (1) Sufficiently remote or
- (2) Not exposed and open sufficiently enclosed when in a built environment
- (c) that the place can be adequately secured;
- (d) that the applicant is or has engaged a Class One or Class Two Dispensary to facilitate sale or dispensing of cannabis or cannabis products.
- (e) a site plan , which shall include or illustrate –
 - (i) entrances and exits;
 - (ii) dispensary locations;
 - (iii) smoking area, if applicable;
 - (iv) food and refreshment (not including alcohol) stations; and
 - (v) any other information requested by the RSA.
- (6) In the case an applicant for a public consumption space license the applicant must, in the application, provide-
 - (a) A Summary of the Type of Event
 - (b) evidence that the applicant owns or has a legal right to the property intended to be used as a public consumption space, and in the case of a legal right, that the owner is aware and consent to the intended use;
 - (c) evidence that the venue or the location within the venue intended to be used as a public consumption space is not accessible to children and
 - (1) Sufficiently remote or
 - (2) Not exposed and open sufficiently enclosed when in a built environment
 - (d) evidence that the place can be adequately secured;
 - (e) evidence that the applicant is or has engaged a Class One or Class Two Dispensary to facilitate sale or dispensing of cannabis or cannabis products.
 - (f) a site design, which shall include or illustrate –
 - . entrances and exits;

CONSUMPTION SPACE REGULATIONS

- . dispensary locations;
- . smoking area, if applicable;
- . food and refreshment (not including alcohol) stations; and
- . any other information requested by the RSA.
- . all relevant required approvals;

(2) In assessing the application the RSA shall take into account the length of time for which the prospective public consumption space is to be used for that purpose.

(3) The RSA shall inform an applicant of the decision on an application at least 10 working days of receipt of the application of the proposed event or intended use of the public consumption space.

Approval and terms of licence

5. –(1) The RSA, subsequent to the review and evaluation of an application for a Consumption Space Licence may issue a licence in keeping with its powers provided under the Regulated Substances Act, No. [26] of 2023 and Cannabis & Industrial Hemp Act Cap. []

(2) A Licence for a therapeutic House shall be for a maximum of 3 years in the first instances and for a maximum period of five years upon renewal.

(3) In approving a license for a licensed consumption space, the RSA shall specify the number of days that a licence is valid for.

(4) A licence issued subject to subsection (3) may be for a period of up to one month.

CONSUMPTION SPACE REGULATIONS

Physical security measures and requirement of licence holder

6. –(1) The holder of a consumption space licence shall ensure that the following security measures are implemented and maintained at all times that cannabis is present or being consumed at the space –
- (a) that adequate security exists at and around the space or venue to prohibit persons from accessing or seeing into the venue;
 - (b) that all staff and officials engaged by the licence holder have been granted security clearance to work at the event pursuant to section 7;
 - (c) that young persons are not permitted inside the consumption space;
 - (d) that identification checks are carried out to ensure that persons entering the consumption space are 21 years of age or older;
 - (e) that signage is erected around the space to ensure that persons are aware that the space is a space where consumption of cannabis is permitted;
 - (f) that, if smoking is permitted at the event or in the space, then designated smoking and non smoking areas are established and adequate signage is erected to inform persons attending of the location of the smoking area(s);
 - (g) that alcohol and tobacco are not sold at the same area within an approved space as cannabis or cannabis products are being sold or dispensed;
 - (h) that all cannabis waste is collected and disposed of consistent with the Act and relevant Regulations;
 - (i) that an area is reserved for officials of the RSA to monitor and ensure compliance with these Regulations.
- (2) A third party may be engaged to perform the duties under subsection (1).

CONSUMPTION SPACE REGULATIONS

Security clearance

7. –(1) A licensed holder of a public consumption space shall notify the RSA of all employees or perspective employees at the public consumption space.
- (2) The RSA upon receipt of the notice in subsection (1) 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 at a licenced public consumptions space.
- (3) A licensed holder of a public consumption space shall not employ or keep in their employment a person who has not been issued a security clearance per section .
- (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, except when the offense is for possession of less than 30g of cannabis, 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 Public Consumption Licence

CONSUMPTION SPACE REGULATIONS

- (5) If the RSA intends to refuse to grant a security clearance, the RSA must provide the applicant, holder of a Public Consumption Licence or applicant of a Public Consumption Licence, with a written notice of the refusal.
- (6) In the event a security clearance is not granted –
 - (a) the RSA has the right to deny the application for holder of a Public Consumption Licence;
 - (b) the holder of a Public Consumption 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.

Sale of cannabis at a licenced public consumption space

8. –(1) The sale or dispensing of cannabis or cannabis products at a public consumption space may only be carried out by a licenced Class One Dispensary or Class Two dispensary.
- (2) Where a licence for public consumption space is granted to a Class One or Class Two dispensary which is not usually located at the prospective consumptions space, the dispensary shall be issued with authorization to temporarily sell or dispense cannabis at that facility further to the licence.

Transportation to and from a licenced public consumption space

9. Transportation to and from a licenced consumption space shall be by a transportation licence holder consistent with the provisions of the Act and the Transportation Regulations.

CONSUMPTION SPACE REGULATIONS

Marketing, branding, and advertising

10. –(1) Advertising, branding, and marketing of an event or intended use of the public consumption space shall be in keeping with the Cannabis Advertising and Marketing Regulations.
- (2) Notwithstanding subsection (1), for the removal of any doubt, nothing in these Regulations shall prohibit advertising or marketing of an event or intended use of the public consumption space to person 21 years of age or greater or in such a place or in such a manner that will not reach persons under the age of 21.
- (3) Tickets, branding and signage regarding the licenced event or event or intended use of the public consumption space shall clearly indicate that persons under the age of 21 are not allowed.
- (4) Signage pursuant to subsection (4) shall be erected in a clear and conspicuous place near the entrance to the event or intended use of the public consumption space.

PART 3

GENERAL REQUIREMENTS

Required documentation and information

11. The holder of a Licence provided for under these Regulations shall record all information pertinent and relating –
- (a) in the case of a Public Consumption Space –
 - (i) the Cannabis Products purchased
 - (ii) the cannabis products sold
 - (iii) the sums charged and collected as cannabis levy

CONSUMPTION SPACE REGULATIONS

- (iv) the stamps affixed to products sold;
- (v) any other information required by the Regulated Substances Authority
- (b) In the case of a Religious Organization cultivating for Commercial purpose –
 - (i) all information required pursuant to the Medicinal Cultivation Regulations;
 - (ii) any other information required by the RSA.
- (c) In the case of a Religious Organization cultivating for Religious purposes –
 - (i) all information on the cannabis cultivated;
 - (ii) any other information required by the RSA.

Theft or loss of cannabis/ or cannabis product(s)

12. A holder of a Licence provided for under these Regulations must, if a theft or loss of cannabis or cannabis products occurs and cannot be explained based on normally accepted operational activities –

- (a) notify the police force within 24 hours after becoming aware of its theft or loss;
and
- (b) provide the RSA with a written notice within 7 days after becoming aware of the loss or theft

Retention of documentation

13. A holder of a Licence provided for under these Regulations must, retain a record of all cannabis and cannabis products, the sold and the affixing of stamps on pursuant to these Regulations for at least one year.

CONSUMPTION SPACE REGULATIONS

Reporting and disclosure

14. –(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

—

- (a) a change of employees of a licence holder;
- (b) a change to the criminal history of an employee of a licence holder;
- (c) a change to the directors, beneficial owners, shareholder or management of a licence holder;
- (d) a change to the status of a religious organisation

Offences

15. (1) Consumption or use of cannabis or cannabis products by means other than by smoking shall be a Class A Offense.

(2) All other offenses provided under these regulations

Offences provided under these Regulations shall be Class B offences and breaches thereof shall extend to the liability for Class B offence

CONSUMPTION SPACE REGULATIONS

[Form serial #]

**APPLICATION FOR A PUBLIC CONSUMPTION SPACE 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 company:

- ☐ Certificate of Incorporation
- ☐ Notice of Directors (notice of change of directors must be submitted if applicable)
- ☐ Notice of Beneficial Owners
- ☐ Application fee
- ☐ Corporate organizational chart
- ☐ Two of the IDs (Certified Copies)
- ☐ Site Design (as specified in section 4 of the Public Consumption Space and Religious Cannabis Regulations)
- ☐ Completed Form 1 # RSAXXX
- ☐ Completed Form 2 # RSAXXX for each Director and Beneficial Owner

1. APPLICANT INFORMATION**1.1 Full Name**

Last Name

First name

Other name(s)

1.2 Address

Permanent address

City

CONSUMPTION SPACE REGULATIONS

[Insert RSA Logo here]

[Form serial #]

1.3 Contact Details

Home phone

Cell phone

Work phone

Facsimile

Email address

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 company (business activity or purpose)****2.3 Current position****2.4. Company address**

Address

City

2.5 Company mailing address (if different from 1.4 above)

Address

City

CONSUMPTION SPACE REGULATIONS

[Insert RSA Logo here]

[Form serial #]

2.6 Company contact information

Telephone

Facsimile

E-mail address

Website

3. PROPOSED SITE**3.1 Address**

Permanent address

City

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

CONSUMPTION SPACE REGULATIONS

[Insert RSA Logo here]

[Form serial #]

**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)

CONSUMPTION SPACE REGULATIONS

[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 Cultivation 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

CONSUMPTION SPACE REGULATIONS

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

Licence No.

CANNABIS PUBLIC CONSUMPTION SPACE LICENCE

LICENCE HOLDER:

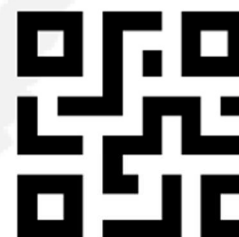
[Insert name here]

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 activities as prescribed in the *Public Consumption Space and Religious Regulations*, 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 or site. 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

CONSUMPTION SPACE REGULATIONS