

Criminal Activities in Bill C-45: Offences and Penalties

Offence	Punishment	Punishment for Young Person	Punishment for Organization
Possession (Section 8)	Punishment	Punishment for Young Person	Punishment for Organization
Individual 18 years of age or older possessing the equivalent of more than 30 g of dried cannabis in public (clause 8(1)(a))	- Indictable offence: Imprisonment up to 5 years less a day - Summary conviction offence: Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both		
Individual 18 years of age or older possessing cannabis that he or she knows is illicit cannabis (clause 8(1)(b))	- Indictable offence: Imprisonment up to 5 years less a day - Summary conviction offence: Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both		
Young person (12-17 years of age) possessing the equivalent of more than 5 g of dried cannabis (clause 8(1)(c))		- Indictable offence or summary conviction offence: Youth sentence under the <i>Youth Criminal Justice Act</i> ^a (YCJA)	
Individual possessing one or more budding or flowering cannabis plants	- Indictable offence: Imprisonment up to 5 years less a day - Summary conviction offence:	- Indictable offence or summary conviction offence: Youth	

in a public place (clause 8(1)(d))	Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both	sentence under the YCJA	
Individual possessing more than 4 cannabis plants that are not budding or flowering (clause 8(1)(e))	- Indictable offence: Imprisonment up to 5 years less a day - Summary conviction offence: Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both	- Indictable offence or summary conviction offence: Youth sentence under the YCJA	
Organization possessing cannabis (clause 8(1)(f))			- Indictable offence: Fine at court's discretion - Summary conviction offence: Fine not exceeding \$100,000
Distribution (Section 9)	Punishment	Punishment for Young Person	Punishment for Organization
Individual 18 years of age or older distributing cannabis (clause 9(1)(a)): - if equivalent to more than 30 g (clause 9(1)(a)(i)) - to an individual under 18 years of age (clause 9(1)(a)(ii)) (defence available if accused took reasonable steps to determine age: clause 9(3)) - to an organization (clause 9(1)(a)(iii)) - that the individual knows is illicit	- Indictable offence: Imprisonment up to 14 years - Summary conviction: Offences other than distributing to an individual under 18 years of age - Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both - Summary conviction offence: Distributing to an individual under 18 years of age - Fine not exceeding		

cannabis (clause 9(1)(a)(iv))	\$15,000, or imprisonment not exceeding 18 months, or both		
Young person (12-17 years of age) distributing cannabis (clause 9(1)(b)): - equivalent to more than 5 g - to an organization		- Indictable offence or summary conviction offence: Youth sentence under the YCJA	
Individual distributing (clause 9(1)(c)): - one or more budding or flowering cannabis plants - more than 4 cannabis plants that are not budding or flowering	- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both	- Indictable offence or summary conviction offence: Youth sentence under the YCJA	
Organization distributing cannabis (clause 9(1)(d))			- Indictable offence: Fine at court's discretion - Summary conviction offence: Fine not exceeding \$100,000
Possessing cannabis for the purpose of distributing (clause 9(2))	- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Offences other than possessing for distribution to an individual under 18 years of age - Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both - Summary	- Indictable offence or summary conviction offence: Youth sentence under the YCJA	

	conviction offence: Possessing for distribution to an individual under 18 years of age - Fine not exceeding \$15,000, or imprisonment not exceeding 18 months, or both		
Selling (Section 10)	Punishment	Punishment for Young Person	Punishment for Organization
Selling cannabis to: - an individual 18 years of age or over (clause 10(1)(a)) - an individual under 18 years of age (clause 10(1)(b)) (defence available if accused took reasonable steps to determine age: clause 10(3)) - an organization (clause 10(1)(c))	- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Offences other than selling to an individual under 18 years of age - Fine not exceeding \$5,000, or imprisonment not exceeding 6 months, or both - Summary conviction offence: Selling to an individual under 18 years of age - Fine not exceeding \$15,000, or imprisonment not exceeding 18 months, Sor both	- Sentence under the YCJA	- Summary conviction offence: Fine not exceeding \$100,000
Possessing cannabis for the purpose of selling (clause 10(2))	- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Offences other than possessing for the purpose of selling to an individual under 18 years of age - Fine not exceeding \$5,000,	- Sentence under the YCJA	- Summary conviction offence: Fine not exceeding \$100,000

	<p>or imprisonment not exceeding 6 months, or both</p> <p>- Summary conviction offence: Possessing for the purpose of selling to an individual under 18 years of age - Fine not exceeding \$15,000, or imprisonment not exceeding 18 months, or both</p>		
Importing and Exporting (Section 11)	Punishment	Punishment for Young Person	Punishment for Organization
<p>Importing or exporting cannabis (clause 11(1)); possessing for the purpose of exporting (clause 11(2))</p>	<p>- Indictable offence: Imprisonment up to 14 years</p> <p>- Summary conviction offence: Fine not exceeding \$5,000, imprisonment not exceeding 6 months, or both</p>	<p>Sentence under the YCJA</p>	<p>- Summary conviction offence: Fine not exceeding \$100,000</p>
Production (Section 12)	Punishment	Punishment for Young Person	Punishment for Organization
<p>Obtaining or offering to obtain cannabis by any method or process, or altering or offering to alter the chemical or physical properties of cannabis using an organic solvent (clause 12(1))</p>	<p>- Indictable offence: Imprisonment up to 14 years</p> <p>- Summary conviction offence: Fine not exceeding \$5,000, imprisonment not exceeding 6 months, or both</p>	<p>- Indictable offence or summary conviction offence: Youth sentence under YCJA</p>	<p>- Summary conviction offence: Fine not exceeding \$100,000</p>
<p>Individual 18 years of age or older cultivating, propagating or harvesting, or offering to cultivate, propagate or harvest a cannabis plant</p>	<p>- Indictable offence: Imprisonment up to 14 years</p> <p>- Summary conviction offence: Fine not exceeding \$5,000, imprisonment not</p>		

<p>from a seed or plant material he or she knows is illicit cannabis (clause 12(4)(a)) or more than 4 cannabis plants in his or her dwelling-house (clause 12(4)(b))</p>	<p>exceeding 6 months, or both</p>		
<p>Two or more individuals 18 years of age or older who share a dwelling-house cultivating, propagating or harvesting cannabis plants if it means that more than 4 plants will be cultivated, propagated or harvested at a time in the dwelling-house (clause 12(5))</p>	<p>- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Fine not exceeding \$5,000, imprisonment not exceeding 6 months, or both</p>		
<p>Individual 18 years of age or older cultivating, propagating or harvesting a cannabis plant at a place other than their dwelling-house (or offering to do so) (clause 12(6)(a)); or cultivating, propagating or harvesting a living thing that is not a cannabis plant from which cannabis can be extracted or obtained (or offering to do so) (clause 12(6)(b))</p>	<p>- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Fine not exceeding \$5,000, imprisonment not exceeding 6 months, or both</p>		
<p>Young person (12-17 years of age) or an organization cultivating,</p>		<p>- Indictable offence or summary conviction</p>	<p>- Summary conviction offence: Fine not</p>

propagating or harvesting a cannabis plant of other living thing from which cannabis can be extracted or obtained (clause 12(7))		offence: Youth sentence under YCJA	exceeding \$100,000
Possession, etc., for Use in Production or Distribution of Illicit Cannabis (Section 13)	Punishment	Punishment for Young Person	Punishment for Organization
Possessing, producing, selling, distributing or importing anything with intent to use it to produce, sell or distribute illicit cannabis (clause 13(1))	- Indictable offence: Imprisonment up to 7 years - Summary conviction offence: Fine not exceeding \$5,000, imprisonment not exceeding 6 months, or both	- Sentence under the YCJA	- Summary conviction offence: Fine not exceeding \$100,000
Use of Young Person (Section 14)	Punishment	Punishment for Young Person	Punishment for Organization
Using or involving a young person in the commission of certain offences (clause 14(1))	- Indictable offence: Imprisonment up to 14 years - Summary conviction offence: Fine not exceeding \$15,000, imprisonment not exceeding 18 months, or both		- Summary conviction offence: Fine not exceeding \$100,000