

In a glimpse

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The legalisation of cannabis in Quebec: implementation (2018-2022)

Canada legalised cannabis for non-medical use in October 2018. While the federal government organises the production of cannabis, it has left it up to its 13 provinces and territories to define a distribution and retail model. Quebec was one of the most reluctant provinces when the federal government announced its decision to legalise cannabis for non-medical use.

More than three years after legalisation, not only have fears been alleviated, but the administrations responsible for its implementation have concluded that “the results observed are positive” and that they “confirm the validity of the Act and the Quebec model”. The *Société québécoise du cannabis* (SQDC), a public company with a monopoly on legal sales, is increasing its profits every year and growing its share of the illegal markets. As in all jurisdictions that have legalised cannabis, an increase in consumption among the adult population has been recorded, but it is more moderate in Quebec than in other jurisdictions.

Beyond this general impression of success and confidence in the ‘right’ legalisation model, the Quebec cannabis industry has some reservations. In addition to the economic and commercial challenges they face, industry players cite the restrictions of the Quebec model and the continuing stigma attached to cannabis by public authorities as the main obstacles.

The report provides an overview of the first three years of legalisation in Quebec. What are the specific features of the Quebec model? How have industry and consumers reacted to this public policy? What impact has it had so far? What are the challenges and obstacles to legalisation? The study is based on two main sources of data: semi-structured interviews with local actors and analysis of grey and institutional literature.

Section 1 presents the characteristics of the Quebec legalisation model, the tasks entrusted to the SQDC and the strategies it uses to achieve them. The revenues generated by legalisation, infringements of the law, and the fight against the black market are also discussed. Section 2 deals with the Quebec cannabis industry, from production to sales, and then draws up a portrait of changes in consumption in recent years. Finally, section 3 describes the main challenges that remain or have emerged since legalisation, according to the stakeholders we met. These challenges are grouped together under three headings: public health, economic, and vulnerable populations.

Characteristics of the Quebec model for legalising cannabis

<p>October 2018</p>	<p><i>An act to regulate cannabis and amend various provisions relating to road safety</i></p> <ul style="list-style-type: none"> ▪ Prohibiting the home cultivation of cannabis (in contrast to the federal law authorising the cultivation of four plants per home) ▪ Introduction of a fully public sales model through a new public company, the <i>Société québécoise du cannabis</i> (SQDC) ▪ The revenues generated by the excise duty on the sale of cannabis and by SQDC dividends are paid in full to the Cannabis Sales Revenue Fund (CSRF). The majority of this sum is paid into the Cannabis Prevention and Research Fund. The balance is used exclusively for activities aimed at preventing the use of psychoactive substances and combating related harmful effects. ▪ The SQDC's Board of Directors must include members who collectively have significant expertise or experience in public health, education, substance abuse, and youth intervention. ▪ Mandatory minimum distance between a preschool, elementary, or secondary and a SQDC outlet. ▪ Prohibition on possession of cannabis on the grounds, premises, or buildings of a preschool, school, or secondary school. ▪ THC concentration limited to 30% in SQDC products. ▪ Strict restrictions on all advertising and promotion of cannabis (traditional advertising, but also a ban on public events related to cannabis and a ban on the sale of objects with an element associated with cannabis).
<p>January 2019</p>	<p><i>Regulation respecting training in the retail sale of cannabis and the information to be provided to purchasers at the time of any sale of cannabis</i></p> <ul style="list-style-type: none"> ▪ Introduction of training developed by the Ministry of Health and Social Services (MHSS) and the SQDC that must be successfully completed by SQDC cannabis sales advisers.
<p>November 2019</p>	<p><i>An act to tighten the regulation of cannabis (amendment to the 2018 Act)</i></p> <ul style="list-style-type: none"> ▪ Prohibition on smoking or vaping cannabis in any indoor or outdoor public space¹ ▪ Legal age for consuming cannabis raised to 21 (legal civil age of 18) ▪ Mandatory minimum distance between a college and a SQDC outlet. ▪ Prohibition on possession of cannabis on the grounds, premises, or buildings of a college or university².
<p>December 2019</p>	<p><i>Regulation determining other categories of cannabis that may be sold by the Société québécoise du cannabis and certain standards relating to the composition and characteristics of cannabis</i></p> <ul style="list-style-type: none"> ▪ Significant restrictions on edible cannabis products that can be sold by the SQDC (for example, no confectionery-like products and a THC limit of 5 mg per unit serving).

In the space of a few years, an ecosystem of stakeholders has developed around the issue of legalising cannabis for non-medical purposes, including the *Direction de la légalisation du cannabis* at the Ministry of Health and Social Services (MHSS), the *Comité de vigilance sur le cannabis*, the SQDC, the *Association québécoise de l'industrie du cannabis* and the *Conseil québécois du cannabis comestible*, not to mention the cannabis producers in Quebec.

¹ The Act gives municipalities the right to pass a by-law allowing smoking or vaping in specific, restricted, and clearly marked areas of municipal parks, if those areas otherwise comply with the restrictions set out in the Tobacco Control Act.

² In Quebec, the entry age for college students is approximately 17-18, and for university students approximately 19-20.

There were two institutional innovations in the implementation of Quebec's legalisation framework. The first was the inclusion in the law of an obligation to evaluate the development of the Quebec model every five years (Article 90). This reflects the legislature's concern about the specific nature of the cannabis issue, but also paves the way for a mechanism for adapting the model over time in the light of experiments conducted and observations made. The creation of the *Comité de vigilance sur le cannabis*, whose main mandate is to monitor developments in knowledge and practices and advise the MHSS on adaptations to be made to the legislative framework, also demonstrates this desire to institutionalise the evaluation of the Quebec legalisation model. The second institutional innovation concerns the creation of two specific funds into which the revenue generated by the sale of cannabis must be paid. The purpose of these funds, which are separate from the general public treasury, is to prevent the SQDC from being used to maximise tax revenues, as happened with alcohol. Given the sums generated by the sale of legal cannabis in Quebec (C\$142.1 million in dividends and excise duties in 2020-2021), the question of how these funds will be used remains unanswered.

Among the issues to watch out for in the coming years are the forthcoming Supreme Court ruling on home cultivation, which remains prohibited in Quebec despite the recommendations of the federal law, and the discussions surrounding certain Quebec restrictions on access to legal cannabis (such as the minimum legal age of 21 and the limited sale of edibles), the evolution of medical and non-medical uses, the instability and consolidation of the cannabis industry, and the scope of cannabis education and information campaigns compared with the means deployed for the promotion and advertising of cannabis-derived products.

This monograph is part of a collective research project entitled "ASTRACAN – Pour une Analyse STRAtégique des politiques de régulation du CANnabis" ("For A strategic Analysis of Regulatory Cannabis Policies"), financed by the Fund for Combatting Addiction (FLCA³) and led by French Monitoring Centre for Drugs and Drug Addiction (OFDT). This comparative analysis of cannabis regulation models focused on three Canadian jurisdictions (Ontario, Quebec, and British Columbia) and three American jurisdictions (California, Washington State, and Oregon). The reports for British Columbia (Obradovic, 2023) and Ontario (Lévesque, 2023) are available online. The summary report on the three US cases will be available shortly.

Further reading

The full report (in French) : Benoit M. (2023) [La régulation du cannabis au Canada : études de cas. Bilan de la mise en œuvre de la légalisation du cannabis au Québec \(2018-2022\)](#), Paris, OFDT, 54 p.

Lévesque G. (2023) [Cannabis policy implementation in Ontario \(2018-2022\)](#), Paris, OFDT, 54 p.

Obradovic I. (2023) [The legalisation of cannabis in British Columbia: background, implementation, and assessment \(2018-2022\)](#). Paris, OFDT, 72 p.

Lévesque G. (2020) [The legalization of cannabis in Canada. Case studies: British Columbia, Ontario, Quebec](#). Literature review, Paris, OFDT, 110 p.

³ This fund contributes to the financing of actions to combat all addictions, both those linked to psychoactive substances (tobacco, alcohol and illicit substances) and those known as "substance-free" (screens, video games, gambling).