

Canada's Drug Control Legislation

Canada's Drug Strategy is the federal response to the harmful use of substances. These include illegal drugs, alcohol, pharmaceuticals, inhalants and solvents. The Strategy takes a balanced approach to reducing both the demand for, and the supply of, drugs and substances. It contributes to a healthier, safer Canada through prevention, treatment, enforcement, and harm reduction initiatives.

The Controlled Drugs and Substances Act and related Regulations

Canada's Drug Strategy seeks to ensure that Canadians live in a society increasingly free of the harms associated with substance use. Part of the Strategy's balanced approach towards achieving this aim is limiting the supply of drugs and other potentially harmful substances through legislative controls and activities to enforce those controls.

Canada's *Controlled Drugs and Substances Act* provides control over the possession, import, export, production, distribution and sale of narcotics, controlled drugs, targeted substances, and precursor chemicals used in the manufacture of illegal substances. The Act includes lists of the psychoactive substances which are controlled, offences and the range of penalties available for a given offence. The Act also includes provisions for:

- enforcement, search, seizure, detention and allowance for the courts to order the restraint and/or forfeiture of offence-related property and proceeds of crime;
- disposal of controlled substances;
- exemptions and appointment of inspectors to ensure compliance; and
- analysis of substances, appointment of analysts, use of analyst certificates in criminal prosecutions, medical, scientific, industrial applications and distribution of controlled substances and precursors.

The Act is managed by Health Canada's Drug Strategy and Controlled Substances Programme, which works in collaboration with enforcement agencies as well as Canadian and international stakeholders in the public and private sectors to ensure that controlled substances are handled effectively. As part of this collaboration, the Government of Canada's enforcement agencies – the Royal Canadian Mounted Police and the Canada Border Services Agency – work cooperatively with Canada's provincial, territorial and municipal governments, as well as with enforcement agencies in the United States and other countries. The Act and the broad collaboration allows the Government of Canada to both enforce control of drugs and other substances and monitor the manufacture and sale of these substances for valid commercial, medical and scientific uses.


The Regulations to the *Controlled Drugs and Substances Act* set out the circumstances under which activities with controlled substances and precursor chemicals are permitted. If the activity is not authorized by the Regulations or other provisions in the Act, it is an offence and subject to potential prosecution.

The provisions of the *Controlled Drugs and Substances Act* also ensure that Canada meets its international obligations as a signatory to three international United Nations drug conventions. Under these conventions, Canada is required to control certain activities related to drugs and other substances.

These international drug conventions do not limit Canada's ability to impose additional domestic controls over drugs and substances when warranted. Regional and cultural differences can play a role in the type of drugs and substances that require control, and problems associated with specific drugs and substances are not always international in scope. Thus, Canada's *Controlled Drugs and Substances Act* also includes a mechanism to add or, when appropriate, delete items from the list of substances subject to the provisions of the Act.

Proposed amendments to the Schedules of the CDSA and to the Regulations are published in Canada Gazette as required by the Canadian Regulatory Policy. These can be viewed at the





Canada Gazette website or on the Health Canada website as they are issued.

The Controlled Drugs and Substances Act and its regulations are available on the Justice Canada website at <http://laws.justice.gc.ca/en/C-38.8/index.html>

To learn more about Canada's Drug Strategy, please visit www.healthcanada.gc.ca/cds

Find out what governments, non-governmental organizations, and other partners are doing – National Framework for Action – Visit www.healthcanada.gc.ca/cds-nfa