



Health Canada
Santé Canada

INDUSTRIAL HEMP GUIDE

INDUSTRIAL HEMP APPLICATION

Please read carefully. Incomplete or illegible applications cannot be processed and will be returned.

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Aussi disponible en français

INDUSTRIAL HEMP APPLICATION GUIDE

SCHEDULE SPECIFIC REGULATORY REFERENCES	
<i>Industrial Hemp Regulations</i>	Section 7, 8, 9

A. BACKGROUND

1. All persons wishing to apply for licences, authorizations or permits should read the Therapeutic Products Programme (TPP) ***Industrial Hemp Guide - Overview***. It provides the necessary background for applicants to make it easier to understand and comply with the Regulations.
2. The definitions contained in the Regulations in Appendix I and the Glossary of Terms in Section 4 of the Overview need to be understood by the applicant.
3. To be **eligible** to hold a licence, permit, or authorization, a person must be a resident of Canada. At least one of the partners in the case of a partnership, or, if the person is a corporation or cooperative, must have its head office in Canada or operate a branch office in Canada.
4. The application form is one provided by Health Canada. A hard copy of the form, **with original signatures**, must be submitted to the Bureau of Drugs Surveillance. See Appendix II for details.
 - The form must be completed, by persons making application for a licence, permit, authorization, with details on each activity to be regulated.
 - Persons are encouraged to consolidate all of their information on sites, activities and personnel in one application package using multiple Schedules as necessary. Sites may be in different locations. This should lead to administrative efficiencies for both the applicant and the Therapeutic Products Programme.

For example, a person who wishes to cultivate industrial hemp on two different farms would complete the Industrial Hemp Application plus 2 of the Schedule 1 (Cultivation) forms.

5. **Licences are issued to persons to perform specified activities at one site.** One licence number will be issued for each location although multiple activities may be approved for that site.
 - Application should be made well in advance of commencing the activity, unless excluded by Regulations, to provide the authorities with enough time to evaluate, issue, or refuse to issue licences, permits and authorizations for the activity. **Incomplete applications will not be processed. They will be returned to the applicant for completion.**
 - The applications will be processed in the order received. **Exceptions will be made in those cases where the activity, such as importing, will be essential to other applicants.**

6. Table I, Appendix III, has been provided as a quick reference of the requirements. To ensure an expedited review of your application, complete all the sections on the Application Form and Schedules that apply.
7. **Originals** are necessary when signatures are required on the application form and on attachments such as the police records check. For example, faxed applications would be considered incomplete without originals. You may fax advance copies to initiate the review process. However, licences will not be issued until the originals are received. Faxed applications that are found to be incomplete will also be returned to the applicant.
8. The information that is required with the licence application will be entered into the *Industrial Hemp Licence System* (IHLS) database in order to generate the official licence, permits and related documents. It is important to ensure that all the relevant information and attachments are submitted. **Incomplete or illegible applications will not be processed, but will be returned to the applicant. This includes forms which have lost the printed Health Canada instructions by repeated reproduction.**

B. WHO MUST HAVE A LICENCE:

An industrial hemp licence or authorization is required for **all persons in Canada engaged in any of the following activities related to the production of industrial hemp:** importation, exportation, possession, production, sale, provision, transport, sending, delivering, and offering for sale of industrial hemp.

This form is **not to be used** by persons who wish to perform sampling for THC testing, to conduct THC testing or to conduct research under the *Narcotic Control Regulations*.

C. FORMS TO BE COMPLETED:

1. Industrial Hemp Licence Application
2. Schedule 6 - if the applicant is a Corporation, Cooperative or Partnership
3. Multiple Schedules as necessary

D. COMPLETING THE INDUSTRIAL HEMP APPLICATION FORM:

1. (a) Indicate if a licence or authorization was held previously under the *Industrial Hemp Regulations*. Please note this does not include research licences. 1998 was the first year that could apply to commercial licences.
- (b) Provide a File Number if you have one, if not, leave this space blank.

- (c) Indicate if the application is on behalf of an individual, corporation, cooperative or partnership.
- (d) If the applicant is an **individual**, go to the Applicant or Company Contact Information section.
- (e) If the applicant is **not** an individual, see the **Schedule 6 Guide** for more details before continuing.

2. Corporation, Cooperative or Partnership Information:

- (a) If the applicant seeking the licence is not an individual, provide the registered name.
- (b) Leave the mailing address blank unless it is different from the one below in the Applicant or Company Contact Information section. That address is where correspondence and the licence/authorization/permit are to be sent.

3. Applicant or Company Contact Information:

- (a) Provide the surname, given names, date of birth and sex of the contact person.
- (b) Provide the mailing address. This is the address where correspondence and the licence, authorization, and permit are to be sent.
- (c) Provide the contact person's telephone number, fax number, and e-mail address, if available.
- (c) Indicate the language of choice (English/ French) for correspondence and licensing.

4. Information on Officers, Directors and/or Partners:

- (a) If the applicant is not an individual, read the Schedule 6 Guide and complete Schedule 6.

5. Police Security Document (Criminal Record Check)

- (a) Sections 8(m) and 8(n) of the Regulations require that to obtain a licence or authorization for the exportation, possession, production, sale, provision, transport, sending, delivering, and offering for sale of industrial hemp applicants must provide data on previous drug convictions.
- (b) No licence or authorization will be issued unless the **original** of a **current** police security check document has been received.

This document, issued by a Canadian police force, must set out for the previous 10 years any criminal record in respect of any designated drug offences, or indicate that the person

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has no such record. This applies to each officer, director or partner where the applicant is a corporation, cooperative or partnership.

- (c) Any officer, director or partner who ordinarily resides in a country other than Canada, must **also** provide a document issued by a police force of that country that sets out for the previous 10 years any criminal record that would be considered a designated drug offence if committed in Canada, or indicating that the person has no such record.
- (d) Please note that a conviction in the last 10 years, for a "designated drug offence" as defined below, makes an applicant **ineligible** as a licence or authorization holder and the Licence will be refused.
 - **"designated drug offence"** means
 - (i) an offence against section 39, 44.2, 44.3, 48, 50.2 or 50.3 of the *Food and Drugs Act*, as those provisions read immediately before May 14, 1997;
 - (ii) an offence against section 4, 5, 6, 19.1 or 19.2 of the *Narcotic Control Act*, as those provisions read immediately before May 14, 1997;
 - (iii) an offence under Part I of the Act, except subsection 4(1); and
 - (iv) a conspiracy, or an attempt to commit, being an accessory after the fact in relation to, or any counselling in relation to an offence referred to in paragraphs (a) to (c).
 - (v) The security check document may be forwarded directly by the police service

6. Activity for Which Appropriate Schedules Must be Attached

- (a) Indicate all activities for which you wish to be licensed.
- (b) The appropriate Schedule covering these activities must also be completed.
- (c) See the Schedule specific guides for more details.

7. Application Certification

- (a) This section must be signed. The applicant certifies to having read the security requirements in the Regulations and makes a commitment that if these requirements are not currently met, they will be met before commencing any activity permitted by the licence.
- (b) Where the applicant is a corporation, cooperative, or partnership, the person signing the application must possess the authority to bind the applicant.

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- (c) The applicant is aware that, with respect to the application, the provisions of the *Privacy Act* apply. Health Canada may request information from others about the application and may provide them with information about the application and applicants. However, an applicant has the right to review data maintained about them and have misinformation corrected.
- (d) The application must be signed by the applicant or, in the case of a corporation, cooperative or partnership, a person having the authority to bind the legal entity (officer, director or partner).
- (e) The title of the person signing the application must be included if it is made on behalf of a corporation, cooperative or partnership.
- (f) A signature on this form applies to the complete application package unless stated otherwise in the application.

E. SUBMISSION TO HEALTH CANADA:

1. The Industrial Hemp Application form submitted to Health Canada must bear an **original** signature. **A faxed or photocopied form will be considered incomplete and will be returned to the applicant.**
2. In the case of a corporation, cooperative or partnership, Schedule 6 must also be submitted.
3. At least one Schedule in addition to Schedule 6 must be included.
4. Other documents which are required to satisfy the requirements of the Industrial Hemp Licence Application. For example, copies of certificates required as evidence of qualification.