

THE OSGOODE CERTIFICATE IN CANNABIS LAW AND REGULATION

Recreational cannabis is one of the fastest growing industries in the world, and Canada is a world leader in its production and sale.

Do you have the knowledge and skills to navigate the complexities of cannabis law and regulation?

This **intensive, 5-day certificate program**, designed and delivered by Canada's leading experts, will give you the critical information and key strategies you need to competently advise on cannabis related matters, including:

- Comprehensive overview of cannabis law in Canada, including the impact of legalization, international drug treaties and indigenous rights
- Critical issues in the cannabis business, including lending, debt finance, registration of security interests and enforcement of loans
- Essentials of general commercial agreements commonly used in the cannabis context
- Key operational issues and challenges
- Crucial challenges in relation to packaging, labelling and manufacturing cannabis and cannabis related projects

PROGRAM DIRECTORS

Trina Fraser
Brazeau Seller LLP

Jonathan Sherman
Cassels Brock & Blackwell LLP

REGISTRATION DETAILS

April 14, 17, 24, May 1, 5, 2023
Online (Live)

*Can't make the date?
Registration includes 120-day
unlimited, online access to the
recorded program.*

Register today at:
[osgoodepd.ca/
cannabis-cert](https://osgoodepd.ca/cannabis-cert)

The Osgoode Certificate in Cannabis Law and Regulation

On October 17, 2018, Canada became the first G7 country to formally legalize the cultivation, possession, sale and consumption of cannabis and cannabis by-products. This burgeoning industry, in which Canada is a world leader, has rapidly expanded the number of cannabis players requiring expert advice and strategies to help them successfully navigate the challenging legal and regulatory landscape.

To meet this need, Osgoode Professional Development's Certificate in Cannabis Law and Regulation is an intensive, comprehensive, practical program designed and taught by leaders in the field. Suitable for those who are looking to enter the cannabis space or a refresher for those already working in the area who want to bolster their knowledge and stay on top of their game. Designed as a comprehensive foundational program, it will give you the knowledge and skills necessary competently and confidently handle matters coming across your desk.

Don't miss your opportunity to interact and engage with industry professionals and boost your professional credentials by earning a certificate from Osgoode Professional Development.

Over 5 modules, you will learn from top legal and industry minds at the intersection of cannabis, business and law about the key topics.

- Comprehensive overview of the legal and regulatory framework
- The cannabis business, including lending and debt finance, licenses/transfer of licences, the enforcement of loans, mergers and acquisitions and investment/banking issues
- Key operational issues and challenges
- Quality systems GPP and GMP
- The different classes of cannabis under Schedule 4 of the *Cannabis Act* – edibles, extracts and topicals
- Intellectual property in the cannabis context
- Key issues relating to retail and franchising
- Taxation of the cannabis industry
- Employment and labour laws governing employees in the cannabis industry
- The life cycle of the plant from cloning to sale
- Indigenous rights and cannabis regulation
- Best practices for managing your cannabis licence

Who Should Attend

- Lawyers in private practice
- In-house counsel in the cannabis industry
- Cannabis industry senior executives, senior managers and managers
- Regulators (provincial and federal) who regulate the production, sale and/or the distribution of cannabis products

Don't miss our panel discussion on *"The Future of Cannabis Law and Regulation: What's Next"* featuring:

John Clare, Director General, Strategic Policy Cannabis, Controlled Substances and Cannabis Branch, Health Canada;

Deborah Morshead, Chief Legal and Administrative Officer, Ontario Cannabis Store;

Pierre Leclerc, Directeur Général, L'Association Québécoise de l'Industrie du Cannabis; and

Sean Webster, Director – Government & Stakeholder Relations, Canopy Growth Corporation

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A truly outstanding faculty, showcasing the very best minds at the intersection of cannabis, business and law

Program Directors



Trina Fraser

Brazeau Seller LLP



Jonathan Sherman

Cassels Brock & Blackwell LLP

Advisory Board

Sherri Altshuler

Aird & Berlis LLP

Ruth Chun

Chun Law Professional Corporation

Eric Foster

Dentons

Matt Maurer

Torkin Manes LLP

Peter Simeon

Gowling WLG

Alice Tseng

Smart & Biggar LLP

Program Faculty

Sherri Altshuler, Aird & Berlis LLP

Matthew Anderson, Vice President, Legal & Business Affairs, Corporate Secretary, Fire & Flower

Deepak Anand, Head of International Consulting, Gateway Proven Strategies (GPS)

Sean Bawden, Kelly Santini LLP

Russell Bennett, Cannabis Law, Barristers & Solicitors

Darrell Bontes, Tax Partner, Ernst & Young LLP

Ruth Chun, Chun Law Professional Corporation

John Clare, Director General, Health Canada

Jane Dietrich, Cassels Brock & Blackwell LLP

Vincent Doré, Senior Vice President, Legal and Corporate Secretary, Entourage Health

Danica Doucette-Preville, Legal Officer, Global Affairs Canada

Yolande Dufresne, Counsel, Torys LLP

Roey Fishman, Co-Founder, Carmel Cannabis

Mariana Fonar, General Counsel, VIVO Cannabis Inc.

Eric Foster, Dentons

John Fowler, Principal at Blaise Ventures

Trina Fraser, Brazeau Seller LLP

Faruk Gafic, Aird & Berlis LLP

David Hyde, CEO, Hyde Advisory & Investments Inc.

Dario Jeginovic, Director of Federal Licesning, CannDelta

Gwen Keating, Manager, Excise Duty Operations – Cannabis, Canada Revenue Agency

Annaliese Kibler, Director of Regulatory Affairs, Aurora Cannabis Inc.

Karina Lahnakoski, Partner, Deloitte's Centre for Cannabis

Pierre Leclerc, Directeur Général, L'Association Québécoise de l'Industrie du Cannabis

Jack Lloyd, Lloyd Law Professional Corporation

Kwan T. Loh, Counsel, Smart & Biggar LLP

Sara Mainville, JFK Law LLP

Alexander Malyshev, Carter Ledyard & Milburn LLP, New York, NY

Matt Maurer, Torkin Manes LLP

Dr. Shane Morris, CEO, Morris and Associates Consulting

Alex Morrison, Partner and Central Market Leader, Strategy & Transactions, Ernst & Young LLP

Deborah Morshead, Chief Legal and Administrative Officer, Ontario Cannabis Store

Jason Moscovici, ROBIC, LLP

Chandimal Nicholas, Cassels Brock & Blackwell LLP

Chris Nyberg, MLT Aikins

Mark Pidkowich, Smart & Biggar LLP

Matt Plickert, Manager of Regulatory Affairs and Cannabis Sourcing, Auxly Cannabis Group Inc.

Lewis Retik, Gowling WLG

Caryma Sa'd, Sa'd Law Office

Angie Salisbury, Director Regulatory Affairs, Canopy Growth Corporation

Jonathan Sherman, Cassels Brock & Blackwell LLP

Peter Simeon, Gowling WLG

Linda Tang, International Tax and Transactions Services Leader, Canada, Ernst & Young LLP

Dr. Mark A. Ware, Affiliate member, Department of Family Medicine, McGill University

Sean Webster, Director – Government & Stakeholder Relations, Canopy Growth Corporation

Sara Zborovski, Stikeman Elliott LLP

Agenda

DAY 1

April 14, 2023

9:00 a.m. – 5:00 p.m. ET

In the first module you will explore and analyze international drug treaties and the origins of cannabis law in Canada, as well as the classes of cannabis. You will also take a comprehensive look at the existing regulatory framework and the relationship between hemp and cannabis and why this matters.

History of Cannabis Law in Canada

- Chronology of cannabis law in Canada

Legalization and International Drug Treaties

- Single Convention on Narcotic Drugs (1961)
- Convention on Psychotropic Substances (1971)
- Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)

The Global Context: Overview of International Law and Norms

Classes of Cannabis under Schedule 4 of the *Cannabis Act* – New Classes

- Edibles
- Extracts
- Topicals
- Vaping
- NNCPs (notices of new cannabis products)

Overview of the Regulatory Framework

- Federal licensing, types of license
- Provincial (distribution and sale)
- Municipal (zoning)
- Criminal law issues

Hemp 101

- Impact of the *Cannabis Act* and *Cannabis Regulations* on the hemp industry

- What can you do and what can't you do with regard to hemp

- US and Canada laws re. hemp

DAY 2

April 17, 2023

9:00 a.m. – 5:00 p.m. ET

The Cannabis Business

- Operating in a heavily regulated industry
- Issues with Health Canada and licenses
- Day-to-day banking considerations
- Issues to address with Health Canada in significant transactions
- M&A in the Canadian cannabis context
- Reverse take-over and public offerings in Canada
- Considerations for investment banks
- Federal vs. State Law in the United States
- M&A in the United States
- Reverse take-over of U.S. MSOs (multi state operators) on the Canadian Securities Exchange (CSE)
- Upcoming U.S. developments
- Stock Exchange considerations
- Continuous disclosure obligations
- Cross-border financing
- Insurance issues

General Commercial Agreements

Understanding the various commercial agreements in this context, including:

- Supply Agreements
- Product Development Agreements
- Cultivation Agreements
- Packaging, Labelling, Licensing, Supply and Distribution Agreements
- White Label/Third Party Extraction Services Agreements
- How are relationships structured?

DAY 3

April 24, 2023

9:00 a.m. – 5:00 p.m. ET

The Regulatory Framework as it Applies to Medical Cannabis

- Medical cannabis – overview of the regulatory regime
- Prescription drugs
- Insurance coverage for cannabis
- Research and clinical studies
- Health care professional associations' view of cannabis

Cannabis-Related Advocacy and Social Justice Issues

- Record suspensions
- Pharmacy distribution
- Don't Tax Medicine campaign
- Challenges for legacy market participants in transitioning into the legal market

Indigenous Rights and Cannabis Regulation

While the existing regulatory regime has both federal and provincial aspects, it leaves out First Nations. In addition, before the *Cannabis Act* was passed there was a lack of consultation. This session explores indigenous rights in the cannabis context

Retail and Franchising

- Canada's provincial retail models and regulations
- Understanding the laws and remaining compliant

Physical Site Security

- Outdoor vs. indoor
- Standard vs. micro

DAY 4

May 1, 2023

9:00 a.m. – 5:15 p.m. ET

Packaging/Labeling Cannabis and Cannabis Products

- General requirements under the *Cannabis Act and Regulations* regarding prohibitions on packaging and labelling cannabis

Marketing and Promotion Issues

- *Cannabis Act and Regulations* requirements
- Meaning of 'promote' and what promotions are prohibited?
- Permitted promotion – the exceptions
- Assessing compliance – what does Health Canada look for when determining whether promotion activities comply with the *Cannabis Act and Regulations*?
- Particular challenges with social media advertising of cannabis

Intellectual Property in the Cannabis Context

- Trademarks and patents
- Plant breeder's rights
- Brand protection
- Key strategies for protecting IP

Regulatory Compliance – How Cannabis Licence Holders Manage Their Licence

- What are the key issues facing cannabis licence holders when managing their licences?
- Site expansions
- Adding people to the Board
- Issues re. transfer of licences

Quality Systems – GPP and GMP – What is it and What Does it Look Like?

- Use of security consultants/GPP experts
- Good Production Practices (GPP)

- Site evidence packages
- Good Manufacturing Processes (GMP)
- Enforcement action for non-compliance and decision elements

Key Operational Issues/Challenges

- For federal licence holders
- For retail licence holders

DAY 5

May 5, 2023

9:00 a.m. – 5:30 p.m. ET

Cannabis and the Workplace

- Employment and labour laws governing employees in the cannabis industry
- Common occupational health and safety issues/hazards in the cannabis industry
- Unionization in the cannabis sector
- Security clearances under the *Cannabis Act and Regulations*
- Immigration issues – potential consequences of engaging in the cannabis industry – business travel to the United States

Real Estate Issues

- Municipal zoning
- Build by-laws
- How are mortgage lenders and property insurers dealing with cannabis operations

Taxation of the Cannabis Industry

- Federal and provincial income tax – GST and PST
- Sales taxes at the retail level
- Excise duty and stamps
- Cost recovery levy on gross earnings by licensed producers (LPs)
- Exempt classes of licenses, e.g. research, analytical testing and hemp production, medical
- Social responsibility taxes (e.g. Manitoba)

Insolvency in the Cannabis Industry

- Bankruptcy and receivership in the cannabis industry – what are the specific limitations faced by the industry in this context?
- Cross border insolvency issues
- Licence issues in insolvency – business to business deals, and what you can and can't do with your licence in this challenging context

The Life of the Plant: From Cloning to Sale

- Growth cycles
 - Problems experienced by growers – e.g. recall issues
- Product Liability
- Indemnity clauses
- Insurance requirements
- Risk management

The program concludes with a Q & A panel discussion. Don't miss your opportunity to put your questions to, and gain insights from:

Deborah Morshead

Chief Legal and Administrative Officer, Ontario Cannabis Store

Pierre Leclerc

Directeur Général, L'Association Québécoise de l'Industrie du Cannabis

Sean Webster

Director – Government & Stakeholder Relations, Canopy Growth Corporation;

John Clare

Director General, Strategic Policy Cannabis, Controlled Substances and Cannabis Branch, Health Canada

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Certificate of Program Completion

You will receive a certificate upon completion of the *Osgoode Certificate in Cannabis Law and Regulation*.

Participants must view all program modules (either live or archived sessions) and pass the post-program multiple choice assessment to receive a certificate.

Register now – don't miss your chance to boost your knowledge in this rapidly expanding field.

Registration Details

Fee per Delegate: \$3,295 + TAX

Newly Licensed*: \$1,647.50 + TAX

**This fee applies to newly licensed regulated professionals within the past 2 years*

Fees include attendance, electronic materials, and technical support. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: www.osgoodepd.ca/financial-assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program Related Information, Please Contact:

Elise Parr, Program Lawyer at eparr@osgoode.yorku.ca



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.



Eligible CPD Hours – LSO (ON): 34h 45m CPD (31h 30m Substantive; 2h Professionalism; 1h 15m EDI)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

Register today at:

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