

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Kenneth Weatherill
Assistant Deputy Minister
Public Safety Division

SUBJECT: ***Controlled Drugs and Substances Act (CDSA) and the
federal Cannabis Act (CA) – Issuance of revised
Ministerial Designations***

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The purpose of this All Chiefs Memorandum (ACM) is to communicate the issuance of revised Ministerial Designations that were originally communicated to the policing community via ACMs 97-0042, 19-0006, and 19-0007.

The *CDSA (Police Enforcement) Regulations* set out exemptions for police officers and their respective agents and informants who engage in what otherwise would amount to “trafficking”, “importing or exporting” or “producing” drugs while conducting or assisting in an investigation into drugs.

The *CA (Police Enforcement) Regulations* set out exemptions for police officers and their respective agents and informants who engage in what otherwise would amount to “selling”, “distributing” “importing and exporting” or “producing” cannabis while conducting or assisting in an investigation involving cannabis.

The above-noted exemptions apply only to members of those Ontario police services that have been designated by the Solicitor General for purposes of any or all provisions of the regulations.

Where it is proposed to use previously seized and forfeited (“state”) cannabis or drugs to advance the course of a subsequent investigative effort, a member will require an additional certificate from the senior police officer responsible for operations in the

police service. The police service must further be designated for that particular purpose by the Solicitor General. These certificates must identify the particular officer, investigation and duration of time to which the exemption relates.

Further exemptions apply to chiefs of police or senior police officers responsible for operations of designated services, where forfeited cannabis or drugs are transferred from one police service to another, in accordance with the regulations, in order to further an investigative effort.

Since the four current designations refer to “police forces constituted under the *Police Services Act*” and owing to the upcoming legislative change whereby the *Police Services Act* will be repealed and replaced with the *Community Safety and Policing Act, 2019*, these designations have been updated to reflect the correct terminology and legislative authority. Additionally, these four designations have been consolidated into two designations, one under the CA and one under the CDSA. Copies of these designations are attached.

If you have any questions or concerns regarding these designations, please contact Savio Pereira, Team Lead, Public Safety Division at savio.pereira@ontario.ca.

Sincerely,



Kenneth Weatherill
Assistant Deputy Minister, Public Safety Division

Attachments

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General