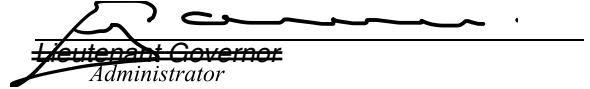


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 480

, Approved and Ordered July 14, 2021


~~Lieutenant Governor~~
Administrator

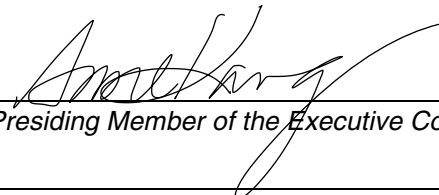
Executive Council Chambers, Victoria

Administrator

On the recommendation of the undersigned, the ~~Lieutenant Governor~~, by and with the advice and consent of the Executive Council, orders that the Cannabis Licensing Regulation, B.C. Reg. 202/2018, is amended as set out in the attached Appendix.



Minister of Public Safety and Solicitor General



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Cannabis Control and Licensing Act, S.B.C. 2018, c. 29, ss. 127 and 131

Other: OIC 528/2018

R10529443

APPENDIX

1 Section 27 (2) of the Cannabis Licensing Regulation, B.C. Reg. 202/2018, is repealed.

2 The following section is added to Division 7 of Part 2:

Dormant licences – prescribed circumstances

- 27.1** (1) In this section, “**dormancy period**” means the period that begins on the date that a licensee ceases operations in an establishment and ends 2 years after that date.
- (2) This section sets out the prescribed circumstances for the purposes of section 37 (5) of the Act.
- (3) A prescribed circumstance is that the licensee satisfies the general manager that
- (a) the licensee started, at the beginning of or during the dormancy period, construction to renovate the establishment that prevented the establishment from operating,
 - (b) the construction would normally be completed by the end of the dormancy period, and
 - (c) the construction is not completed by the end of the dormancy period due to reasons beyond the control of the licensee, the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.
- (4) A prescribed circumstance is that the licensee satisfies the general manager that
- (a) the establishment was substantially damaged or destroyed by fire, flood or other event beyond the licensee’s control at the beginning of or during the dormancy period,
 - (b) the construction to renovate or rebuild the establishment would not normally be completed by the end of the dormancy period,
 - (c) the construction started during the dormancy period and is continuous to the end of the dormancy period, and
 - (d) the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.
- (5) A prescribed circumstance is that the licensee satisfies the general manager that
- (a) the licensee started construction to demolish and replace the building that is the establishment or in which the establishment is located at the beginning of or during the dormancy period,
 - (b) the construction would not normally be completed by the end of the dormancy period,
 - (c) the construction started during the dormancy period and is continuous to the end of the dormancy period, and
 - (d) the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.

- (6) A prescribed circumstance is that the licensee satisfies the general manager that
 - (a) the owner of the building in which the establishment is located who is not the licensee initiated construction on the building at the beginning of or during the dormancy period and the construction prevented the establishment from operating,
 - (b) the construction extends past the end of the dormancy period, and
 - (c) the operations in the establishment restart as soon as practicable after the construction is completed.
- (7) For the purposes of subsections (3) (c), (4) (c) and (d) and (5) (c) and (d), construction is considered to be started or to be continuous if the general manager is satisfied that
 - (a) the licensee made genuine attempts to have the construction start or be continuous but an event beyond the licensee's control prevented the construction from starting or being continuous, and
 - (b) the construction starts or continues as soon as practicable after the licensee is no longer prevented from doing so by the event.
- (8) A prescribed circumstance is that the licensee satisfies the general manager that
 - (a) the licensee was prevented from operating the establishment at the beginning of or during the dormancy period for reasons beyond the licensee's control,
 - (b) the reasons are not described in subsection (3), (4), (5) or (6), and
 - (c) the operations in the establishment restart as soon as practicable after the licensee is no longer prevented from operating the establishment because of those reasons.