

**PROPOSED NEW MANDATORY SENTENCES FOR SERIOUS DRUG OFFENCES
SCHEDULE II DRUGS (CANNABIS AND MARIJUANA)**

OFFENCE	MANDATORY PENALTY			NOTES	
		w/ <i>Aggravating Factors- List A¹</i>	w/ <i>Aggravating Factor - List B²</i>		w/ <i>Health and Safety Factors³</i>
Trafficking		1 YEAR	2 YEARS	n/a	<i>Offence would have to involve more than 3 kg of cannabis marijuana or cannabis resin</i>
Possession for the Purpose of Trafficking		1 YEAR	2 YEARS	n/a	<i>Offence would have to involve more than 3 kg of cannabis marijuana or cannabis resin</i>
Importing Exporting	1 YEAR	n/a	n/a	n/a	<i>Offence is committed for the purpose of trafficking</i>
Possession for the Purpose of Exporting	1 YEAR	n/a	n/a	n/a	<i>Offence is committed for the purpose of trafficking</i>
Production - 1 – 200 plants	6 MOS	n/a	n/a	9 MOS	<i>Offence is committed for the purpose of trafficking. Maximum penalty will be increased to 14 years imprisonment</i>
Production - 201 – 500 plants	1 YEAR	n/a	n/a	18 MOS	<i>Maximum penalty will be increased to 14 years imprisonment</i>
Production - more than 500 plants	2 YEARS	n/a	n/a	3 YEARS	<i>Maximum penalty will be increased to 14 years imprisonment</i>
Production - oil or resin	1 YEAR	n/a	n/a	18 MOS	<i>Offence is committed for the purpose of trafficking</i>

¹ **Aggravating Factors List A**

The aggravating factors include offences committed:

- for the benefit of organized crime;
- involving use or threat of violence;
- involved use or threat of use of weapons;
- by someone who was previously convicted (in the past 10 years) of a serious drug offence involving a Schedule I or II substance.

²Aggravating Factors List B

The aggravating factors include offences committed:

- in a prison;
- in or near a school, in or near an area normally frequented by youth or in the presence of youth;
- in concert with a youth;
- in relation to a youth (e.g. selling to a youth).

³Health and Safety Factors

- the accused used real property that belongs to a third party to commit the offence;
- the production constituted a potential security, health or safety hazard to children who were in the location where the offence was committed or in the immediate area;
- the production constituted a potential public safety hazard in a residential area;
- the accused placed or set a trap.