



BARBADOS MEDICINAL
CANNABIS LICENSING
AUTHORITY

EXPORT LICENSE GUIDE

Let's Grow Together



The Barbados Medicinal Cannabis Industry Act, 2019 (the Act) establishes that an application for a license must be filed with the regulatory body, the Barbados Medicinal Cannabis Licensing Authority (BMCLA), in the form and manner specified by the Act and the Medicinal Cannabis Industry Regulations, 2020, (the Regulations) and must include all the information required.

This Export Guide provides general terms and conditions for the operation of an Export License within the Barbados Medicinal Cannabis Industry.

This Guide should be read in conjunction with the Act, the Regulations, and the General License Guide and are intended to supplement the provisions of the Regulations.

It is the responsibility of the applicant to ensure that they are familiar with these guidelines and the Regulations. Your application may be denied, or your operations delayed if you fail to meet the requirements outlined.

The BMCLA is committed to protecting personal information as well as confidential business information that is under its possession. Ensuring the confidentiality, integrity, and availability of information is essential to the regulator's decision making and the delivery of services. The BMCLA recognizes that the protection of this information is an essential element in maintaining public trust.

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Disclaimer: This document is a living document, which may be updated and changed by the BMCLA as we see fit. Users are advised to ensure they are using the most recent version. In the case of any discrepancies between this document and the Act and its Regulations, please seek direction from the BMCLA.

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FOREWORD

The Barbados Medicinal Cannabis Industry Act, 2019 (the Act) was proclaimed on September 30, 2020. It establishes the conditions under which the Medicinal Cannabis Industry in Barbados will operate. Provisions for the licensing regime, patient access to medicinal cannabis and the establishment of the regulating Authority, the Barbados Medicinal Cannabis Licensing Authority (herein referred to as the BMCLA) and its Board are all found within the Act. Further, the Act is supported by the Barbados Medicinal Cannabis Industry Regulations, 2020 (the Regulations).

As a signatory to the Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances, 1971, Barbados has an obligation to adopt measures that allow for the careful movement of cannabis including the supervision of the importation in a manner consistent with these international drug control conventions. The import and export of cannabis may only be authorized for medical and scientific purposes and within the parameters set by international drug conventions.

Again, this guidance document should be read with reference to both the Act and the Regulations. The intent is to provide further direction to the applicant based on the provisions established in the aforementioned documents. It also sets out the rules and regulations for an export license.

Section 4 (1) of the Act provides for the BMCLA to develop policies, procedures and guidelines for the industry. Additionally, section 4 (2) of the Regulations also provides the BMCLA with the right to request any additional information that pertains to the licensee, its agents or directors and that is necessary to consider the application. It is the responsibility of all applicants to make sure that they are aware of all rules, regulations and policies which pertain to their application and operations.

The BMCLA is not responsible for any circumstance in which an applicant or licensee might find themselves non-compliant due to lack of awareness of the necessary requirements.

This document, while aimed at being comprehensive, may not contain every answer an individual may need. In those cases, it is suggested that the applicants contact the Barbados Medicinal Cannabis Licensing Authority at clo@bmcla.bb or visit the Authority's website www.bmcla.bb.

The overall intent of the regulatory framework, including all guidelines governing the Barbados Medicinal Cannabis Industry, is to ensure patient safety and the administration of an orderly and efficient industry.



GLOSSARY

Medicinal cannabis products

Medicinal cannabis products mean any oral medicinal cannabis product or topical medicinal cannabis product whether solid or liquid which is made from cannabis, cannabis material or cannabis resin.

BACKGROUND

The Barbados Medicinal Cannabis Industry Act, 2019, (the Act) and Barbados Medicinal Cannabis Industry Regulations, 2020, (the Regulations) provide, among other things, the framework for legal access to medicinal cannabis, control and regulation of medicinal cannabis use and commercial engagement in Barbados. It in no way makes legal the use in the production, manufacturing and handling of cultivation or production of cannabis for any purpose other than that as stated under the Act. The Act lays out the allowance under which persons can engage in medicinal cannabis within the jurisdiction of the Barbados Government.

The Act speaks to the establishment of the Authority, the allowance for the use of cannabis for medicinal purposes which must be prescribed by a doctor and dispensed by a licensed pharmacist (as defined under the Pharmacy Act, Cap. 372D). The Act also makes provision for the establishment, licensing, regulation, monitoring, control and enforcement of the medicinal cannabis industry by the Barbados Medicinal Cannabis Licensing Authority (BMCLA). It established eight (8) different types of licenses and tiers and gives the Authority the right and responsibility for the importation, cultivation, processing, exportation, transportation, analyzing as well as research and development of cannabis for medicinal purposes.

Under this framework, a person is required to obtain a license issued by the BMCLA in order to conduct various activities with cannabis for medicinal purposes. Applicants and license holders are responsible for compliance with the Act and the Regulations as well as compliance with other applicable laws as made by the Government of Barbados.

The Act establishes that an application for a license must be submitted to the Authority in the form and manner specified by the industry regulations and must include all requested information and supplemental documentation as requested. This guide sets out the application process including the form and manner for submitting an application and the information that is required.

The BMCLA will publish other guidance documents and information as needed on its website (www.bmcla.bb) that may be used in conjunction with this document to assist applicants in preparing their applications. In order to maintain consistency and transparency, this guide, as well as other guidance documents and information, will be updated, as required, to reflect changes to policies and/or operations.

GENERAL REQUIREMENTS

It is the responsibility of the licensee to ensure that they meet all the requirements and protocols established by the Customs and Excise Department and the Plant Protection Department of the Ministry of Agriculture and Food Security for the exportation of goods.

1. **Export Authorization Certificate**

Consistent with international drug conventions, importing or exporting cannabis for medical or scientific purposes requires a permit from the BMCLA for each shipment.

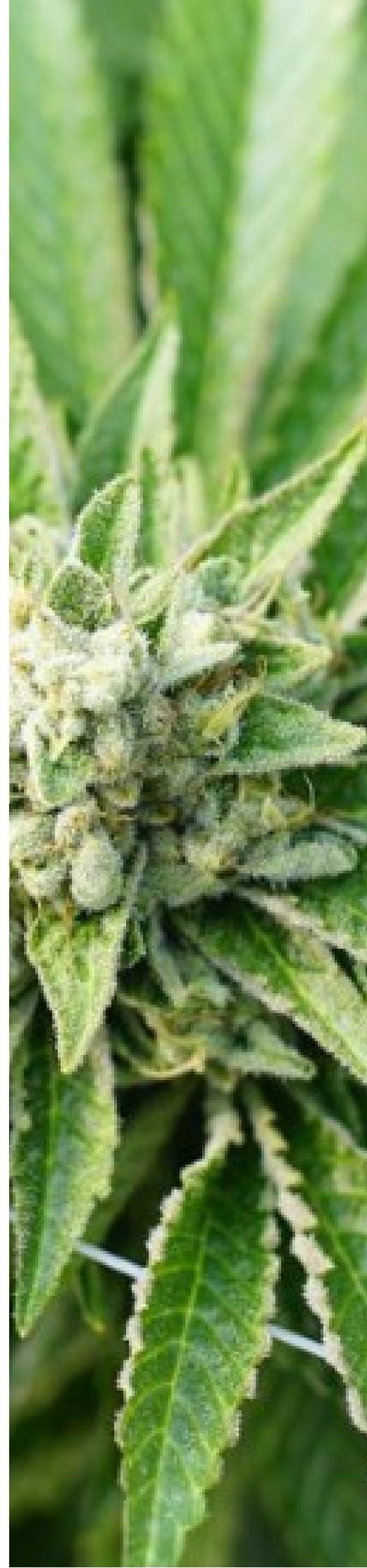
1.1. Pursuant to Regulation 22 (b & c), licensees must fill out an **Export Authorization Certificate Form** (which is attached as Appendix 1).

This must be done for every instance of exportation and must be done at least two (2) months prior to the proposed exportation.

1.2. Attached to the Form must be:

- a letter of intent from the importer, confirming that the intended use of the product is for medicinal or research and development purposes; and
- a detailed explanation of the planned export path, including the method of transportation, transportation path and any transshipment points and plans for those segments.

1.3. If authorized, the BMCLA will issue an **Export Authorization Certificate**. This should be presented upon request to any government agency and will be valid for three (3) months past the planned date of exportation.



2. Denial of Request

2.1. Before issuing an Export Authorization Certificate, the BMCLA will consider the following:

- Barbados' obligations under international treaties;
- whether the application is consistent with the relevant provisions in the Act and the Regulations;
- whether the export will be used solely for medical or scientific purposes; and
- whether there are risks to public safety and security, including the risks of diversion.

2.2. The BMCLA may deny any request for an Export Authorization Certificate under the following circumstances:

- where an applicant has not shown sufficient documentation to support the application;
- where the export of the material is to a country where the import is not legal;
- where there is evidence to suggest that the intended export is not for use in the medicinal market; and
- any other circumstance the BMCLA believes to not be in the interest of the development of the industry in Barbados and its compliance with international treaties

3. Restrictions

3.1. Per Regulation 22 (b), the BMCLA has the right to restrict the export of cannabis materials and cannabis products.

The BMCLA has determined that currently, there will be no restrictions on exports. However, this does not inhibit the ability of the BMCLA to do so in the future.

3.2. Per Regulation 22 (d), the requirement to only export to a country or place in which medicinal cannabis is legal also includes the classification of state or region.

4. Obligatory Export Licenses

4.1. Pursuant to section 31 (2) a & b, holders of Research and Development as well as Laboratory licenses will automatically receive an Import & Export License.

The export license granted in this circumstance must only be limited to activities directly related to those specific operations.

4.2. Regardless of the granting of an obligatory export license, in every case the exporter must still seek an Export Authorization Certificate.

5. After Exportation

5.1. Within fifteen (15) days of export, the exporter shall notify the BMCLA in writing (delivered via email or physical letter) that the items were sent.

This notification should carry the licensee's name, license number and details of shipment (receiver, destination, strain, quantity and form of the product being shipped).

5.2. All items planned for export must conform to all the packaging and labelling standards as dictated by the BMCLA.

6. Expiration of Authorization

6.1. Each Export Authorization Certificate is valid for a period of three (3) months beyond the original date of the planned export.

6.2. Once the Export Authorization Certificate has expired, no licensee may use it to export cannabis material of any kind using said authorization and must reapply.

7. Changes to Export Details

7.1. Each Export Authorization Certificate for which the details have changed, including the place and person receiving the export, requires a new Export Authorization Certificate.

The licensee should notify the BMCLA by email and fill out a new Export Authorization Certificate form.



Barbados Medicinal Cannabis Licensing Authority

Export Authorization Certificate Form

- I. This form should be used to apply for permission to export cannabis for medical or scientific purposes under the Barbados Medicinal Cannabis Licensing Authority Regulations, 2020.
- II. Each export authorization is valid for a period of six months beyond the original date of planned export.
- III. Each authorization must be accompanied by a letter of intent from the importer (As detailed in the export guidelines)
- IV. For consolidated shipments Licensees are required to attach the details as listed below on a separate sheet for each shipment included in the planned consolidated shipment.
- V. Any additional information which cannot fit on the form may be attached on a separate sheet.

Section 1: License holder information

Name of license holder (as indicated on license)

License number

Section 2: Transit details

Name of importer

Country of import

Address details

Port of exit

All modes of transportation to be used

Any country of transit or transshipment, if applicable

Section 3: Shipment details

Anticipated shipment date, if known

Purpose of Export

- Medicinal Use
- Research & Development or Laboratory
- Processing
- Other _____

Cannabis Materials to be Exported

Cannabis Material

Medicinal Products

Plant

Oral Medicinal Product

Seeds

Topical Medicinal Product

Tissue Culture

Other:

Raw Cannabis

Details of the Export (e.g., extract/oil, seeds, plants, strain and description of the packaging if applicable)

Brand name of Packaged Cannabis Product or Cannabis Material (if applicable)

Quantity of Export (Cannabis Material or Product) – this is based on the manner in which the items are packaged (e.g. total of 500 seeds in 1 box, consisting of 5 packets of 100 seeds per packet)

The percentage of THC w/w and CBD w/w of the cannabis material or product as applicable

Section 4: Competent authority authorization

*Attach the import permit/authorization from the competent authority in the country of import.

Section 5: Attestation

I hereby attest that all of the information submitted in the support of the application is true and correct and completed to the best of my knowledge and that any exported cannabis is for medical or scientific purposes only

Signature

Name of Representative of Licensee

Date

N.B w/w. (chemistry) "weight for weight" or "weight by weight", the proportion of a particular substance within a mixture, as measured by weight or mass.



BARBADOS MEDICINAL CANNABIS LICENSING AUTHORITY

Let's Grow Together

WE ARE HERE TO HELP!

For further information on the Barbados Medicinal Cannabis Licensing Authority (BMCLA) or the Barbados Medicinal Cannabis Industry, please contact us:

 clo@bmcla.bb

 246-421-4141

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