



**BARBADOS MEDICINAL
CANNABIS LICENSING
AUTHORITY**

TRANSPORT 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 Barbados Medicinal Cannabis Industry Regulations, 2020 (the Regulations) and must include all the information required.

This Guide provides general terms and conditions for the operation of a Transport License within the medicinal cannabis industry. This Guide should be read in conjunction with the Act, the Regulations and the General License Guide.

This Transport License Guide is intended to supplement the provisions of the Regulations. It is the responsibility of the applicant to ensure that he/she is familiar with this Guide 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 and 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 it sees 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 the Regulations, please seek direction from the BMCLA.

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FOREWORD

The 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).

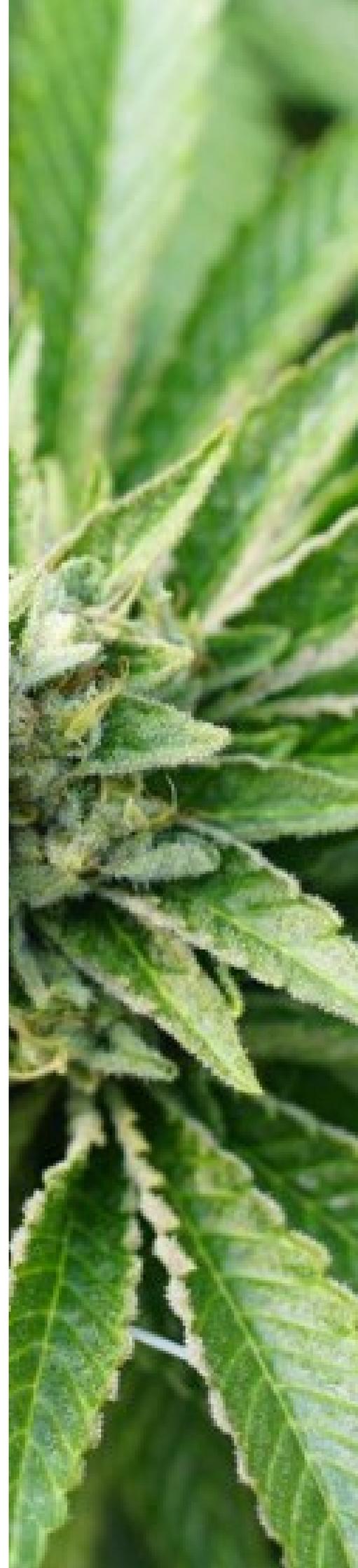
This guidance document should be read with reference to both the Act and the Regulations. The intent is to provide further direction to the applicant based on the provisions established in the aforementioned documents. It also sets out the rules and regulations for a Transport License.

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 licensees 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 BMCLA at clo@bmcla.bb or visit the BMCLA'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

Authorised vehicle

A vehicle adapted or constructed for the express purpose of transporting cannabis or cannabis products.

Business premises

These are the unlicensed premises from which the applicant or licensee may conduct their administrative or non-cannabis related side of their business affairs.

Diversion

Diversion defined as the movement/transfer of legal product to the black market

Inversion

Inversion is defined as the sale of a black market product in the legal market or the movement of illegal product into the legal market.

Standard Operating Procedures (SOPs)

These are Standard Operating Procedures which are collated into a document consisting of step by step instructions on how to complete a particular job or procedure within the licensed activities.

BACKGROUND

The Medicinal Cannabis Industry Act, 2019 (the Act) and the 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 is no way makes legal the use, 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 BMCLA, 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 BMCLA. It established eight (8) different types of licenses and tiers and gives the BMCLA the sole right and responsibility for the importation, cultivation, processing, exportation, transportation, analyzing as well as research and development of cannabis for medicinal purposes and the provision for regulation, monitoring and enforcement by the BMCLA.

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

The Act establishes that an application for a license must be submitted to the BMCLA in the form and manner specified by the 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

1. Operational Requirements

These requirements must be met during the period of pre-approval and the granting of the license.

1.1. It is the responsibility of the Licensees to ensure that they meet all of the requirements of the ***Barbados Road Traffic Act***. A license from the BMCLA, does not absolve the Licensee from the responsibility to obey any other applicable laws or regulations or provide the Licensee with the right to not obey the direction given by other Authorities in respect of other applicable laws or regulations.

1.2. All transportation Licensees must show proof to the BMCLA that the vehicle/s to be used in the transport of medicinal cannabis is/are:

- Registered with the Barbados Licensing Authority;
- Owned or leased by the Licensee
- Appropriately insured – the original or certified copy of the insurance certificate must be presented

1.3. It is the responsibility of the Licensee to ensure that all drivers are properly licensed. Drivers may be asked to show proof of a driver's license and vehicle insurance during random inspections by the BMCLA.

1.4. All Transport Licensees must have a documented Standard Operating Procedures (SOPs) for the transportation of medicinal cannabis in every form including raw, processed and final product, made available to the BMCLA upon request.

All Licensees per the Regulations section 25 (f) MUST facilitate any request made by the BMCLA, at any time, without notice, to send a representative to accompany any authorised vehicle along its route and perform such checks as the BMCLA deems necessary.

2. Approved Transport Vehicles

2.1. All Licensees must ensure that the vehicle to be licensed for use in the transportation of medicinal cannabis and medicinal cannabis products meets the following specifications:

- Must be a truck or a van with a separated and enclosed cab or carriage section.

Please see the examples below:



Panel Truck/Van



Lutton Truck/Van



Box Truck/Van



2.2. All vehicles must be outfitted with the required security features as indicated below:

Intrusion Alarm – All Licensees must have installed a functioning intrusion alarm/panic alarm on their vehicles. This alarm must have an outward response (sound system) which will alert to an intrusion attempt. BMCLA must be notified in real-time.

- **GPS** – All vehicles must have a GPS tracking system installed and functioning.

Licensees must provide the BMCLA with access to real-time tracking of all licensed vehicles. The GPS hardware must be integrable/compatible with the track-and-trace system of the BMCLA.

Security cameras – All vehicles must be outfitted with cameras that shall record in real-time the transportation activity. Cameras should be situated in the cab area of the driver and in the back where the cannabis is stored.

These are the minimum security requirements. Licensees can go beyond the stated requirements. The BMCLA shall issue a separate track and trace guideline.

3. Product Handling

3.1. All medicinal cannabis, in any form must be secured during transport. All Licensees and/or employees are required to ensure that the shipment they are transporting is:

- recorded in the track and trace system as prescribed by the BMCLA; and
- inside a secure and locked receptacle in the vehicle

3.2. Licensees can transport different packages of cannabis from various suppliers once each package is stored separately and each package is accounted for in the track-and-trace system and recorded in the transport manifest.

3.3. Any incidents that occur during the transportation of shipment should be reported to the BMCLA. Additionally, in the case of an accident on the route, Licensees may only transport medicinal cannabis in an unauthorized vehicle with the expressed permission of the BMCLA.

4. Reporting and Documentation

4.1. Before any planned transportation occurrence, all transport licensees must ensure that they log the proposed route (planned route) into the BMCLA track-and-trace software.

This should include:

- the planned departure times;
- the estimated duration of each journey;
- the material being transported; and
- the sending and receiving entity.

After each trip, this log must be updated with:

- the actual details of the trip, including any deviations to planned route (due to traffic or obstructions);
- the actual departure and arrival times; and
- the actual duration of the trip.

4.2. The Licensee should seek assurance and documentation from the client who is requesting transport, that the information on the shipment to be transported, has been entered into the track-and-trace system.

The documentation should include:

- a shipment record listing;
- the strains of cannabis;
- quantity;
- purpose;
- name and address of the sender; and
- name and address of the receiver.

This must be done for every shipment and must be verified by the driver prior to transportation. This documentation whether physical or digital must accompany each transportation occurrence and must be available upon request.

4.3. In accordance with the Regulations, Section 34-35, all Licensees are required to keep all records for a period of six (6) years on the following activities:

- Business Operations
- Transportation Logs



5. Incident Reporting

5.1. In accordance with the Regulations, Section 16. i. all incidents involving cannabis, or cannabis products **MUST** be reported to the BMCLA within 24 hours of the incident. This includes successful and unsuccessful attempts at inversion, discrepancies, theft or destruction (not pre-approved or monitored by the BMCLA) of medicinal cannabis or medicinal cannabis products.

6. Conditions of Transportation

6.1. No person may accompany a driver on a transportation occurrence unless that person is an employee of the licensee or representative of the BMCLA.

Every person travelling on a licensed vehicle must have an ID identifying them and must produce said license if requested by the BMCLA.

6.2. No cannabis can be stored overnight in an authorised vehicle. The cannabis loaded for transportation must be transported the same day.

6.3. The storage area of the vehicle must always be kept clean and sanitary.

7. Visibility

7.1. All vehicles used in the transportation of medicinal cannabis are prohibited from carrying any markings which would indicate that the vehicle is transporting medicinal cannabis in any form.

7.2. All medicinal cannabis products should be concealed from the view of other moving vehicles and pedestrians during transportation and similarly concealed when parked.

8. Administrative Location

8.1. All Licensees must establish a business premise from which they will conduct the administrative functions associated with their license.

8.2. All vehicles licensed to transport cannabis shall be parked at the administrative location when not in use.

9. Responsibility

9.1. A transport Licensee is legally responsible for all cannabis being transported, from the point at which the Licensee's representatives accepts physical custody of the cannabis shipment until the shipment has been delivered and accepted by the entity to which delivery was contracted.

9.2. Transport Licensees are responsible for ensuring that there is no tampering with any items of cannabis in any forms under the Licensee's control.

10. New Vehicles

10.1. Transport Licensees must apply to the BMCLA to increase the number of vehicles under the license.

Once approved the Licensee must pay the required fee, have the vehicle inspected and produce the documentation required for operating, before being allowed to use the new vehicle for transportation.





BARBADOS MEDICINAL CANNABIS LICENSING AUTHORITY

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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:



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