

Ottawa to comply with end of ban

New rules will respect court decision: Philpott

OTTAWA — The federal government will not appeal a federal-court decision which struck down a ban on medicinal marijuana patients growing their own pot, Health Minister Jane Philpott said Thursday.

Speaking outside the Commons, Philpott said the government respects the February decision.

The ruling followed a constitutional challenge from four B.C. residents against a law passed by the Conservative government, which they argued violated their charter rights.

In his decision to strike down the ban, Judge Michael Phelan suspended the ruling for six months to allow Ottawa to rewrite the law.

Philpott said Thursday the government will move to address medicinal marijuana regulations in response to the concerns of the court.

It intends to have completed this process by August — the time frame laid out in the judgment.

“At this point, I am not going to speculate as to what kind of regulations will be put in place or how the current regulations will be amended, but certainly we will take into respect every recommendation of the court decision,” Philpott said.

The government will ensure that those who require marijuana for medical purposes have appropriate access, she added.

“Until such time as the amendments are put in place, the marijuana for medical purposes regulations will remain in effect,” she said.

“If people have an injunction that allows them to be able to grow for medical purposes, then those with an injunction will continue to be able to use that. Otherwise the licensed producers are the only organizations that are allowed to produce medical marijuana under these regulations.”

Health Canada’s medicinal marijuana regulations were first introduced in 2013 and required patients to buy cannabis from licensed producers instead of growing their own.

The Liberal government has also committed to regulating and legalizing recreational marijuana, though it has yet to proceed with the establishment of a federal-provincial-territorial task force to consult experts on how to proceed.