
NEWS RELEASE

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Ministry of Mental Health and Addictions

B.C. receives exemption to decriminalize possession of some illegal drugs for personal use

VANCOUVER – British Columbia is taking a critical step toward reducing the shame and fear associated with substance use as the federal Minister of Mental Health and Addictions and Associate Minister of Health announced the granting of a three-year exemption under the Controlled Drugs and Substances Act (CDSA) to remove criminal penalties for people who possess a small amount of certain illicit substances for personal use.

This exemption will be in effect from Jan. 31, 2023, to Jan. 31, 2026, throughout British Columbia. The Province will work with a broad range of partners to implement this policy change, including the federal government, health authorities, law enforcement, people with lived and living experience, Indigenous partners and community organizations to establish the public health and public safety indicators in order to monitor and evaluate the outcomes of this exemption in real time.

“The shocking number of lives lost to the overdose crisis requires bold actions and significant policy change. I have thoroughly reviewed and carefully considered both the public health and public safety impacts of this request,” said Carolyn Bennett, federal Minister of Mental Health and Addictions and Associate Minister of Health. “Eliminating criminal penalties for those carrying small amounts of illicit drugs for personal use will reduce stigma and harm and provide another tool for British Columbia to end the overdose crisis.”

This exemption is not legalization. These substances remain illegal, but adults who have 2.5 grams or less of the certain illicit substances for personal use will no longer be arrested, charged or have their drugs seized. Instead, police will offer information on available health and social supports and will help with referrals when requested.

“Substance use is a public health issue, not a criminal one,” said Sheila Malcolmson, B.C.’s Minister of Mental Health and Addictions. “By decriminalizing people who use drugs, we will break down the stigma that stops people from accessing life-saving support and services.”

Over the past five years, British Columbia and the federal government have been building a continuum of care for mental health and substance use for people throughout the province and Canada. Increasing access to harm-reduction programs, such as safe consumption sites, safer supply and naloxone have been essential in saving lives. Implementing this exemption and reducing stigma around drug use is a vital part of the work toward decreasing barriers to this critical system of care.

“This exemption is a vital step to keeping people alive and help connect them with the health and social support they need,” said Dr. Bonnie Henry, B.C.’s provincial health officer. “By removing the fear and shame of drug use, we will be able to remove barriers that prevent

people from accessing harm reduction services and treatment programs.”

Together, the federal and provincial governments will work closely to evaluate and monitor the implementation of this exemption, to address any unintended consequences and to ensure that this exemption continues to be the right decision for the people of B.C.

Quote:

Kennedy Stewart, mayor, Vancouver –

"Decriminalizing possession of drugs is a historic, brave and groundbreaking step in the fight to save lives from the poisoned drug crisis. Today marks a fundamental rethinking of drug policy that favours health care over handcuffs, and I could not be more proud of the leadership shown here by the governments of Canada and British Columbia."

Quick Facts:

- B.C. is the first province in Canada to receive an exemption from Health Canada under subsection 56(1) of the Controlled Drugs and Substances Act so that adults are not subject to criminal charges for the personal possession of certain illegal drugs
- The B.C. government is transforming mental health and substance use services in the province as outlined in A Pathway to Hope, the Province’s mental health and addictions roadmap.
- Through historic investments, the Province is doubling the number of youth treatment and recovery beds, adding hundreds of adult treatment beds, increasing access to harm reduction supports like safe supply, and more.
- Since 2017, the Government of Canada has committed more than \$800 million to address the opioid overdose crisis and responded quickly to implement a wide range of measures to help save lives and meet the diverse needs of people who use drugs.

Learn More:

Section 56(1) exemption (English): <https://www.canada.ca/en/health-canada/services/health-concerns/controlled-substances-precursor-chemicals/policy-regulations/policy-documents/exemption-personal-possession-small-amounts-certain-illegal-drugs-british-columbia.html>

Section 56(1) exemption (French): <https://www.canada.ca/fr/sante-canada/services/preoccupations-liees-sante/substances-controlees-precurseurs-chimiques/politique-reglementation/documents-politique/exemption-possession-fins-personnelles-petites-quantites-certaines-drogues-illegales-colombie-britannique.html>

Factsheet (English): <https://www.canada.ca/en/health-canada/services/publications/drugs-health-products/fact-sheet-exemption-personal-possession-small-amounts-certain-illegal-drugs-british-columbia.html>

Factsheet (French): <https://www.canada.ca/fr/sante-canada/services/publications/medicaments-et-produits-sante/feuille-informations-exemption-possession-fins-personnelles-petites-quantites-certaines-drogues-illegales-colombie-britannique.html>

A Pathway to Hope: https://news.gov.bc.ca/files/BCMentalHealthRoadmap_2019.pdf

Stop Overdose BC: <https://www.stopoverdose.gov.bc.ca/>

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