



Tribunals Ontario

Licence Appeal Tribunal

15 Grosvenor Street, Ground Floor, Toronto ON M7A 2G6
Tel.: 416-326-1356, 1-888-444-0240
tribunalsontario.ca/lat

Information Sheet – Cannabis-related appeals to the Licence Appeal Tribunal

Introduction - *Cannabis Licence Act, 2018*

Ontario's provincial legislature passed the *Cannabis Licence Act, 2018* on October 17, 2018. This Act sets out the legal structure for private cannabis retail in Ontario and gives the Alcohol and Gaming Commission of Ontario ("AGCO") the authority to licence, regulate and enforce the sale of recreational cannabis through privately run stores in Ontario. The decision maker at the AGCO on licensing issues is the Registrar under the *Alcohol, Cannabis and Gaming Regulation and Public Protection Act, 1996* ("Registrar").

Types of Licences under the *Cannabis Licence Act, 2018*

The *Cannabis Licence Act, 2018* ("CLA") establishes the following three types of licences/authorizations:

1. Retail Operator Licence ("ROL");
2. Retail Store Authorization ("RSA");
3. Cannabis Retail Manager Licence ("RML").

All applicants for licences and authorizations must be at least 19 years of age. For corporate applicants, every director, officer and shareholder must be at least 19.

Hearings and Appeals under the *Cannabis Licence Act, 2018*

Who Can Appeal

Individuals or businesses who apply for a licence, or are licensed, under the *Cannabis Licence Act, 2018* can appeal the following decisions or proposals of the Registrar to the Licence Appeal Tribunal:

1. Notice of Proposal to Refuse to Issue a Licence
2. Notice of Proposal to Impose a Condition(s) on a Licence or Authorization
3. Notice of Proposal to Refuse to Renew a Licence or Authorization
4. Notice of Proposal to Revoke or Suspend a Licence or Authorization
5. Suspension Order on a licence or authorization (Immediate)
6. Revocation Order on a licence or authorization (Immediate)
7. Order of a Monetary Penalty (OMP)

For items 1-4 above, the Registrar must serve a Notice of Proposal (NOP) on the individual/business outlining the reasons for the proposed action. Anyone who disputes an NOP issued by the Registrar may appeal the proposal to the Licence Appeal Tribunal. In some circumstances, the Registrar may suspend or revoke a licence or authorization without an NOP (items 5 and 6 above). In these cases the Registrar must service a notice of suspension or a notice of revocation.

If the Registrar issues an Order of Monetary Penalty (OMP), the Registrar must serve the OMP on the licence/authorization holder. Anyone who disputes an OMP issued by the Registrar may appeal the Order to the Licence Appeal Tribunal.

How to Appeal

If you received an NOP, a notice of suspension, a notice of revocation or OMP and wish to request a hearing/appeal, you have **fifteen (15) days** from the date you were served the notice or order to submit a written request for a hearing/appeal to the Licence Appeal Tribunal.

You must complete the [Notice of Appeal](#) form and submit the completed form to the Licence Appeal Tribunal. Appeals can be filed with the Tribunal via fax at: **416-325-1060** or via mail to: **77 Wellesley Street West, Box 250, Toronto, ON M7A 1N3**. To ensure your appeal is complete, please ensure you have included the following documents:

- Completed Notice of Appeal form
- Filing Fee
- Certificate of Service
- A copy of the Document you are Appealing

Other Sources of Useful Information

The Tribunal's website at tribunalsontario.ca/lat has Information Sheets, Rules of Practice, Practice Directions, FAQs and other useful information.

This information sheet is intended to provide general information to Appellants and other parties. It does not constitute legal advice. If you wish to obtain legal advice, you should consult a person licensed by the [Law Society of Ontario \(www.lso.ca\)](http://www.lso.ca).