

**MINISTRY OF FINANCE
CUSTOMS AND EXCISE DIVISION**

NOTICE TO IMPORTERS NO. 25 OF 2021

**SUBJECT: IMPORTATION OR EXPORTATION OF CANNABIS
COMMONLY KNOWN AS MARIJUANA**

The attention of all Importers is drawn to the provisions of the Dangerous Drugs Act, Chap. 11:25 whereby Section 5, Subsection 2 has been amended by Act No. 24 of 2019 by inserting after paragraph (e), two (2) new categories to the list of exemptions as (f) and (g) which no longer makes it an offence to be in possession of the following:

(f) a person who has in his possession not more than:

- i. thirty grammes of cannabis; or
- ii. five grammes of cannabis resin; and

(g) a person who cultivates or has in his possession not more than four growing plants of the genus Cannabis.

The decriminalization of certain amounts of Cannabis under **the Dangerous Drugs Amendment Act No. 24 of 2019 has NOT changed the law as it regards to the importation or exportation of Cannabis.**

Section 3 of the Dangerous Drugs Act, Chap 11:25, defines “drug traffic”, “drug trafficking” or “trafficking”. It states:

“drug traffic”, “drug trafficking” or “trafficking” means the importation, exportation, manufacture, sale, giving, administering, transportation, delivery or distribution by any person of a dangerous drug or any substance represented or held out by such person to be a dangerous drug or the making of any offer in respect thereof, whether in the Territory or elsewhere, and includes an arrangement whereby -

- (a) the retention or control by or on behalf of another person of the other person’s proceeds of drug trafficking is facilitated; or
- (b) the proceeds of drug trafficking by another person are used to ensure that funds are placed at the other person’s disposal or are used for the other person’s benefit to acquire property,

but does not include -

- (c) the importation or exportation of a dangerous drug by or on behalf of any person who has a licence therefore under section 4: or

(d) the manufacture, processing, packaging, sale, giving, administering, transportation, delivery or distribution of a dangerous drug or the making of any offer in respect thereof by or on behalf of a person who has a licence therefore under section 5 or by or on behalf of a medical practitioner, dentist, veterinary surgeon or pharmacist for a medicinal purpose;

Furthermore, “**drug trafficking offence**” in accordance with Section 3 means:

- (a) an offence under section 5(4) and (7) and *section 47;
- (b) an offence of conspiracy to commit any of the offences referred to in paragraph (a);
- (c) an offence of attempting, inciting, aiding abetting, counselling or procuring the commission of any of the offences referred to in paragraph (a) or (b);

*Section 47 was repealed by Act No. 55 of 2000.

Section 5(4) of the Dangerous Drugs Act provides:

A person who traffics in any dangerous drug or in any substance represented or held out by him to be a dangerous drug or who has in his possession any dangerous drug for the purpose of trafficking is guilty of an offence.


Cannabis, Cannabis sativa, Cannabis sativa L, their preparations, derivatives and similar synthetic preparations are listed in Schedule One (1) of the Dangerous Drugs Act as a narcotic drug.

Section 49 of the Customs Act, Chap. 78:01 states the following:

The provisions of sections 44 to 48 shall be additional to the provisions of section 146, and to the provisions of any other written law prohibiting the importation, carriage coastwise or exportation of any goods.

The importation or exportation of Cannabis in ANY quantity is still an offence, except where a licence was issued by the Minister of Health.

Importers are to be guided accordingly.


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Vidyah Marcial
Comptroller of Customs & Excise (Ag.)
Custom House, Port of Spain
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