



Approval of the Federal Law for the Regulation of Cannabis by the Senate

On November 19 of this year, the Senate approved the draft of the decree by which the Federal Law for the Regulation of Cannabis is issued, and various amendments to different provisions of the General Law of Health, and the Federal Criminal Code.

Now, the initiative will be sent to the Chamber of Deputies to be discussed and voted on before December 15.

The new Federal Law for the Regulation of Cannabis establishes the creation of the Mexican Institute for the Regulation and Control of Cannabis as a decentralized agency of the Ministry of Health.

The Institute will be in charge of regulating the sale and production of cannabis in the country by issuing five types of licenses: for cultivation, transformation, retail, research, and export or import.

It is worth mentioning that the licenses for cultivation, transformation and retailing are mutually exclusive, except for the export or import license for non-psychoactive cannabis, which can be granted with another type of license.

Some of the issues addressed by the new law are:

- Only people over 18 years of age may grow, transport and consume cannabis and its derivatives with a license from the Institute.
- Possession of psychoactive cannabis will be penalized when it exceeds 200 grams.

The activities of planting, cultivating or harvesting of cannabis plants when carried out for medical purposes and scientists will not be sanctioned.

In conclusion, the creation and implementation of the new Federal Law for the Regulation of Cannabis implies a great challenge for the government, as it aims to

Tax and Legal Services

Legal Alert 44/2020 | December 3rd, 2020

reduce the illegal market for psychoactive cannabis and thereby reduce organized crime, corruption and violence.

Also, it is worth mentioning that the Supreme Court of Justice of the Nation resolved five Amparo lawsuits related to the consumption of cannabis for recreational and recreational purposes.

Specifically, the Supreme Court established:

- Authorization of personal use of cannabis for recreational and recreational purposes only for those who file a constitutional lawsuit (Amparo).
- COFEPRIS must determine the guidelines and modalities for granting permits.

If you have any questions about cannabis regulation or this industry in Mexico, please contact our experts.

Contact:

Valeria Vázquez

Legal Services Partner
vavazquez@deloittemx.com
Tel. 55 5080 7548

César Cruz

Legal Manager
cecruz@deloittemx.com
Tel. 55 5900 2251

Francisco Hleón

Snr Lawyer
fhleon@deloittemx.com
Tel. 55 5900 1311

María Segura

Snr Lawyer
masegura@deloittemx.com
Tel. 55 5900 2268

www.deloitte.com/mx
www.deloitte.com/mx/legales



tax@hand App

Download our tax@hand app.
Available on: www.taxathand.com

For: IOS and Android



Contact:

Legal Services

Victor Ávila

vavila@deloittemx.com

Ramón Bravo

rambravo@deloittemx.com

Héctor Cuevas

hcuevas@deloittemx.com

Germán de la Garza

gdelagarza@deloittemx.com

Luis Lavalle

llavalle@deloittemx.com

www.deloitte.com/mx

www.deloitte.com/mx/legales

Claudio Marroquín

clmarroquin@deloittemx.com

Bernardo Martínez

cmartinezrivas@deloittemx.com

Octavio Novaro

onovaro@deloittemx.com

Mauricio Oropeza

morepeza@deloittemx.com

Érika Rodríguez

erodriguez@deloittemx.com

Valeria Vázquez

vavazquez@deloittemx.com

Aguascalientes

Universidad 1001, piso 12-1
Bosques del Prado
20127, Aguascalientes, Ags.
Tel: +52 (449) 910 8600
Fax: +52 (449) 910 8601

Cancún

Avenida Bonampak SM 6, M 1, lote 1,
piso 10, 77500, Cancún, Q. Roo
Tel: +52 (998) 872 9230
Fax: +52 (998) 892 3677

Chihuahua

Av. Valle Escondido 5500
Fracc. Des. El Saucito E-2, piso 1,
31125, Chihuahua, Chih.
Tel: +52 (614) 180 1100
Fax: +52 (614) 180 1110

Ciudad Juárez

Baudelio Pelayo No. 8450
Parque Industrial Antonio J. Bermúdez
32400, Ciudad Juárez, Chih.
Tel: +52 (656) 688 6500
Fax: +52 (656) 688 6536

Culiacán

Insurgentes 847 Sur, Local 103
Colonia Centro Sinaloa
80128, Culiacán, Sin.
Tel: +52 (33) 1454 2000

Guadalajara

Avenida López Mateos Norte 2405
piso 29
Colonia Italia Providencia
44648, Guadalajara, Jalisco.
Tel: +52 (33) 3669 0404
Fax: +52 (33) 3669 0469

Hermosillo

Blvd. Eusebio Francisco Kino No. 315
Piso 8, Suite 804, Colonia Lomas del Pitic
83010, Hermosillo, Son.
Tel: +52 (662) 109 1400
Fax: +52 (662) 109 1414

León

Paseo de los Insurgentes 303, piso 1
Colonia Los Paraísos
37320, León, Gto.
Tel: +52 (477) 214 1400
Fax: +52 (477) 214 1405 y 1407

Mazatlán

Avenida Camarón Sábalo 133
Fracc. Lomas de Mazatlán
82110, Mazatlán, Sin.
Tel: +52 (669) 989 2100
Fax: +52 (669) 989 2120

Mérida

Calle 56 B 485 Prol. Montejo Piso 2
Colonia Itzimna
97100, Mérida, Yuc.
Tel: +52 (999) 913 4032
Fax: +52 (999) 913 4052

Mexicali

Calzada Francisco López Montejano 1342
Piso 7 Torre Sur
Fracc. Esteban Cantú
21320, Mexicali, B.C.
Tel: +52 (686) 905 5200
Fax: +52 (686) 905 5231 y 5232

Ciudad de México

Paseo de la Reforma 505, piso 28
Colonia Cuauhtémoc
06500, México, D.F.
Tel: +52 (55) 5080 6000

Monclova

Bld. Ejército Nacional 505
Colonia Los Pinos
25720, Monclova, Coah.
Tel: +52 (866) 190 9550
Fax: +52 (866) 190 9553

Monterrey

Av. Juárez 1102, piso 40
Centro
64000, Monterrey, N.L.
Tel: +52 (81) 8133 7300

Monterrey - La Rioja

Carr. Nacional 85, 5000, local S-6
Colonia La Rioja
64988, Monterrey, N.L.
Tel: +52 (81) 8155 5757
Fax: +52 (81) 8155 5758

Puebla

Edificio Deloitte, Vía Atlixcayotl 5506, piso 5
Zona Angelópolis
72190, Puebla, Pue.
Tel: +52 (222) 303 1000
Fax: +52 (222) 303 1001

Querétaro

Avenida Tecnológico 100-901
Colonia San Ángel
76030, Querétaro, Qro.
Tel: +52 (442) 238 2900
Fax: +52 (442) 238 2975 y 2968

Reynosa

Carr. Monterrey-Reynosa 210-B, PA
Fracc. Portal San Miguel
88730, Reynosa, Tamps.
Tel: +52 (899) 921 2460
Fax: +52 (899) 921 2462

San Luis Potosí

Av. Salvador Nava Martínez 3125, 3-A
Fracc. Colinas del Parque
78294, San Luis Potosí, S.L.P.
Tel: +52 (444) 102 5300
Fax: +52 (444) 102 5301

Tijuana

Misión de San Javier 10643, Piso 8
Zona Urbana Río Tijuana.
22010, Tijuana B.C.,
Tel: +52 (664) 622 7878
Fax: +52 (664) 681 7813

Torreón

Independencia 1819-B Oriente
Colonia San Isidro
27100, Torreón, Coah.
Tel: +52 (871) 747 4400
Fax: +52 (871) 747 4409

Deloitte.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee and its network of member firms, each of which is a unique and independent legal entity. Please consult our website at www.deloitte.com/mx/conozcanos for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms.

Deloitte renders professional services in the areas of audit, taxes and legal services, consulting and advisory, to public and private clients from different industries. With a global network of member firms in over 150 countries, Deloitte offers world-class capacities and high quality service to its clients, providing the experience necessary to deal with the most complex business challenges. The more than 330,000 employees of Deloitte are committed to achieving significant impacts in their communities.

As utilized in this document, "Deloitte" means Galaz, Yamazaki, Ruiz Urquiza, S.C., which has the exclusive legal right to become involved in, and limits its business to, the provision of services of audit, tax consulting, advisory and other professional services in Mexico, under the name "Deloitte".

This publication contains only general information and neither Deloitte Touche Tohmatsu Limited, its member firms, nor any of their respective affiliates (collectively the "Deloitte Network"), render advice or services through this publication. Before taking any decision or measure which may affect your finances or business, you should consult a qualified professional adviser. No entity of the Deloitte Network will assume responsibility for losses suffered by any person or entity that consults this publication.