




**APPLICATION FOR
CANNABIS IDENTIFICATION CARD
ESTABLISHMENT LICENSE
& PERMIT TO OPERATE**


COMPLIANCE BRANCH



Cannabis defined by
3 GAR, Ch.9, §9101 (J)

All parts of the plant of the genus cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including cannabis or marijuana concentrate.

Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.



What does the Compliance Branch regulate?

- Recreational Cannabis Laws
- Cannabis Identification Cards (CIC)
- Cannabis Establishment License applications (CEL)
- Cannabis Permit to Operate (PTO)
- Site Inspections (all establishment types)
- Operation Inspections
- Administrative Penalties / Suspensions / Revocation Enforcement
- Seed to Sale Tracking Enforcement
- Cannabis Retail Stores
- Cannabis Waste Management and Disposal

LICENSE REQUIREMENTS

3 GAR, CH.9, §9208, (A), (B), (C)

Legal residents of Guam who have maintained continuous legal residential address(es) on Guam for a period of no less than three (3) years prior to the application for a Cannabis Establishment License shall retain at least fifty-one percent (51%) ownership of the cannabis establishment.

Can only own or have financial interest in one (1) Cultivation Facility, one (1) Product Manufacturing, one (1) Testing Facility, or one (1) retail store at any given time.

Responsible Officials, board members, business stakeholders, principals, or owners of a Cannabis Testing Facility **are prohibited** from owning or having financial stake in any Cultivation Facility, Product Manufacturing Facility, Retail Store that refer cannabis for their testing, or another cannabis Testing Facility.

LICENSE REQUIREMENTS

3 GAR, CH.9, §9208, (D), (E), (F)

Cultivation and Manufacturing facilities shall only be located
in the following zones:

AGRICULTURE ZONE (A),
LIGHT INDUSTRIAL ZONE (M1) or
HEAVY INDUSTRIAL ZONE (M2)

Retail Cannabis Stores shall only be located in the
following zones:

COMMERCIAL ZONE (C),
LIGHT INDUSTRIAL ZONE (M1) or
HEAVY INDUSTRIAL ZONE (M2)

The cannabis establishment **MUST** meet all applicable
local zoning laws and requirements. Including the
DRUG FREE SCHOOL ZONE LAW.

LICENSING PROHIBITION FOR ESTABLISHMENTS NEAR SCHOOLS

11 GCA, CH.9, §9110

The Board ***shall not*** issue a license for a cannabis establishment located within a distance of one thousand (1,000) feet from any public or private school and other places or facilities where youth generally congregate, which include childcare centers, public playgrounds, and parks. The measurements shall be taken in a straight line from the center of the nearest entrance to the building of such school or place or facility stated herein to the center of the nearest entrance of the cannabis establishment for which a license is applied.

The provisions of this Section shall not prohibit the renewal of any valid license previously issued and in effect at the time of a subsequent construction or establishment of a school or place or facility stated herein within five hundred (500) feet of such licensed cannabis establishment, and provided that the premises of such licensed cannabis establishment shall not subsequently be added to or enlarged.

RESPONSIBLE OFFICIAL

3 GAR, CH.9, §9101 (PPP)

Must be twenty-one (21) years of age or older.

(1) A president, vice-president, secretary, or treasurer of a business organization (corporation, LLP, or LLC) in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the business organization;

(2) A general partner or sole proprietorship;

(3) For a public agency: a principal executive officer, ranking elected official, or an authorized representative as approved by the Director. For the purposes of these rules and regulations, a principal executive officer of a federal agency includes the chief executive officer, commanding officer, or equivalent rank or position, who has responsibility for the overall operations of a Principal unit of the agency;

(4) A responsible official shall not have been convicted in any state or jurisdiction of the United States, including the Commonwealth of the Northern Mariana Islands, for the manufacture or delivery of a controlled substance in Schedule I or Schedule II, **excluding marijuana convictions**; and

(5) A responsible official shall be registered with the Department and hold a cannabis identification card.

RESPONSIBLE OFFICIAL

3 GAR, CH.9, §9202, (A), (B), (C), (D)

...is otherwise responsible for a cultivation facility, product manufacturing facility, testing facility, or retail store, and who meets the qualifications established in these rules and regulations and have been approved by the Board, is responsible for submitting all required applications, documents, and reports for the cannabis establishment. This includes applications for a Cannabis Establishment License and Permit to Operate.

The responsible official is accountable for any intentional or unintentional action of its owners, officers, managers, employees or agents, who, with or without the knowledge of the responsible official, violates the Act or these rules and regulations.

When a cannabis establishment is required by these rules and regulations to provide information, sign documents, or ensure actions are taken, the individual in subsection (a) shall comply with the requirement on behalf of the cannabis establishment.

A mailing address submitted for a responsible official as part of any application for a cannabis establishment shall be located in Guam.

LICENSE TYPES

3 GAR, CH.9, §9101, (M), (T), (U), (QQQ)



Cannabis Cultivation Facility means an entity licensed to cultivate, prepare, and package cannabis; and to sell cannabis to retail cannabis stores, cannabis product manufacturing facilities, and other licensed cannabis cultivation facilities, but not to consumers.

Cannabis Product Manufacturing Facility means an entity licensed to purchase cannabis from licensed cannabis cultivation facilities to manufacture, prepare, and package cannabis products; and to sell cannabis and cannabis products to other cannabis product manufacturing facilities and to retail cannabis stores, but not to consumers.



LICENSE TYPES

3 GAR, CH.9, §9101, (M), (T), (U), (QQQ)

Retail Cannabis Store means an entity licensed to purchase cannabis and to sell cannabis and cannabis products to consumers. Nothing herein shall be construed to prohibit a licensed retail cannabis store to purchase, sell, or transfer cannabis and cannabis products to another licensed retail cannabis store.



Cannabis Testing Facility means an entity licensed to analyze and certify the safety and potency of cannabis.

ALLOWABLE AMOUNT

3 GAR, CH.9, § 9101 (C)

(1) One (1) ounce or less of cannabis, eight (8) grams or less of cannabis concentrate, or any cannabis-infused products containing eight hundred (800) mg or less of tetrahydrocannabinol;

(2) Possessing, growing, processing, or transporting no more than six (6) cannabis plants, with three (3) or fewer being mature flowering plants, and possession of the cannabis produced by the plants on the premises where the plants were grown; provided, that the growing takes place in an enclosed, locked place, is not conducted openly or publicly, and is not made available for sale;

(3) Transferring one (1) ounce or less of cannabis and immature cannabis plants; eight (8) grams or less of cannabis concentrate; or any cannabis-infused products containing eight hundred (800) mg or less of tetrahydrocannabinol to a person who is twenty-one (21) years of age or older without remuneration; Title 11 GCA, Chapter 8, § 8103.

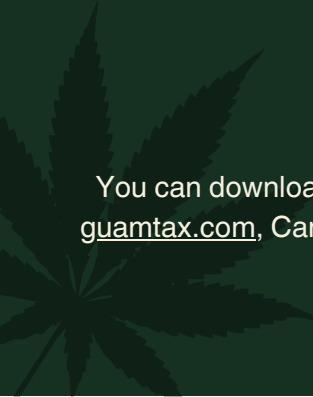
APPLICATION PROCESS



STEP 1 - RESPONSIBLE OFFICIAL

1. File your organization documents and obtain a Cannabis Administrative Business License (Form BL-02C).
2. Complete Cannabis Identification Card Application (Form DRT-CICA).
3. Complete Financial Statement Form (Form DRT-FS1).
4. Upon completion, payment and Cannabis Control Board (CCB) approval, a Responsible Official Card and Cannabis Establishment License (Form DRT-CELA) application will be issued.

You can download the Cannabis Identification Card (CIC) Application on guamtax.com, Cannabis Control Board or request a physical copy from the DRT Compliance Branch.



CANNABIS IDENTIFICATION CARD FEES:

3 GAR, CH.9, §9201 (A)

Must be twenty-one (21) years of age or older.

License Type	New Fee	Renewal Fee
Responsible Official	\$1,000.00	\$750.00
Designated Transporter	\$200.00	\$175.00
Manager / Employee	\$50.00	\$25.00

Cannabis Identification Cards are required for all Responsible Officials and Designated Transporters of a Cannabis Establishment who will be handling or transporting retail cannabis, prepared retail cannabis and retail cannabis products. 3 GAR, CH.9, §9203

APPLICATION PROCESS

STEP 2 - CANNABIS ESTABLISHMENT LICENSE

1. Complete Cannabis Establishment License Application (Form DRT-CELA).
2. Complete Authorization to Release Information (Form DRT-ARI).
3. Application and setup of Seed to Sale tracking program account and complete required training. Additionally, Cultivators must order plant and package tags through the designated Seed to Sale program. Licensee will also add employees to required tracking system for training and system access.
4. Upon completion of clearance from all agencies, payment of the application fee and CCB approval, a Cannabis Establishment Certificate will be issued by the Compliance Branch. Cannabis Permit to Operate application (From DRT-CPTO) will be issued for final step.

You can download the Cannabis Establishment License (CEL) Application on guamtax.com, Cannabis Control Board or request a physical copy from the DRT Compliance Branch.

CANNABIS ESTABLISHMENT INITIAL APPLICATION & LICENSE FEES:

3 GAR, CH.9, §9201 (B)

License Type	Application Fee	New License Fee	License Renewal Fee	Permit to Operate Fee
Cultivation TYPE I 0 TO 500 Sq. Ft. of canopy	\$500.00	\$500.00	\$500.00	\$600.00 per year
Cultivation TYPE II 501 TO 2,500 SQ. Ft. of canopy	\$2,000.00	\$3,000.00	\$3,000.00	\$2,000.00 per year
Cultivation TYPE III 2,501 TO 5,000 SQ. FT. OF CANOPY	\$3,500.00	\$5,000.00	\$5,000.00	\$5,000.00 per year
Cultivation TYPE IV 5,001 TO 10,000 SQ. FT. OF CANOPY	\$5,000.00	\$10,000.00	\$10,000.00	\$15,000.00 per year

“Canopy” means the surface area utilized to produce mature cannabis plants calculated in square feet and measured using the outside boundaries of any area that includes mature cannabis plants, including all of the space within the boundaries. 3

GAR, Ch.9, §9101 (v)

CANNABIS ESTABLISHMENT INITIAL APPLICATION & LICENSE FEES:

3 GAR, CH.9, §9201 (B)

License Type	Application Fee	New License Fee	License Renewal Fee	Permit to Operate Fee
Cannabis Manufacturing Facility	\$500.00	\$500.00	\$500.00	\$600.00 per year
Cannabis Testing Facility	\$2,000.00	\$3,000.00	\$3,000.00	\$2,000.00 per year
Retail Cannabis Store	\$3,500.00	\$5,000.00	\$5,000.00	\$5,000.00 per year

Renewal applications for all establishment license types can be submitted up to ninety (90) days prior to the expiration of the cannabis establishment's registration. The CCB shall issue an annual registration to the applicant within thirty (30) days after receiving a renewal application unless the CCB finds that the applicant is not in compliance with the regulations established pursuant to §8110 of 11 GCA, Ch.8.

APPLICATION PROCESS

STEP 3 - CANNABIS PERMIT TO OPERATE

1. Complete Cannabis Permit to Operate (Form DRT-CPTO).
2. Upon completion of clearances from all agencies, designated Seed to Sale program training, and payment of the new license fee, an establishment inspection will be conducted by the Compliance Branch.
4. After passing inspection, CCB approval and payment of the Permit to Operate fee, a Cannabis Permit to Operate Certificate will be issued by the Compliance Branch.
5. Initial Cannabis Administrative license will be returned to the Business License Branch to be exchanged for a Cannabis Retail, Product Manufacturing, Cultivation or Testing license.

You can download the Cannabis Establishment Permit to Operate (PTO) Application on guamtax.com, Cannabis Control Board or request a physical copy from the DRT Compliance Branch.



LOCATION:

**DEPARTMENT OF REVENUE & TAXATION, BARRIGADA
COMPLIANCE BRANCH**

CONTACT INFORMATION:

(671) 635-1802 / 1806

EMAIL:

COMPLIANCE@REVTAX.GUAM.GOV

Website: guamcourts.gov/CompilerofLaws
[3 GAR, Ch.9 - Cannabis Control Board](#)
[11 GCA, Ch.8 - Guam Cannabis Industry Act](#)
[11 GCA, Ch.9 - Cannabis Control Board](#)