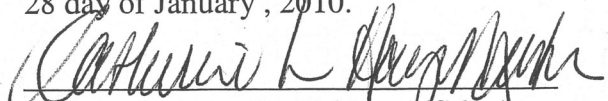
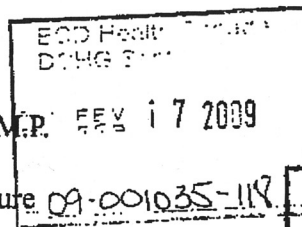


This is Exhibit "A" referred to in the
Affidavit of Jocelyn Kula
Sworn before me at the City of Ottawa
in the Province of Ontario this
28 day of January, 2010.


A Commissioner for Taking Affidavits

THE LAW OFFICE OF KIRK I. TOUSAW

The Honourable Leona Aglukkaq, P.C., M.P.
Health Canada
Brooke Claxton Building, Tunney's Pasture
Postal Locator: 0906C
Ottawa, Ontario K1A 0K9
Via Canada Post



~~December 15, 2008~~

Feb 17, 2009.

Re: Christopher Bennett
Request for Exemption per CDSA section 56



Dear Minister:

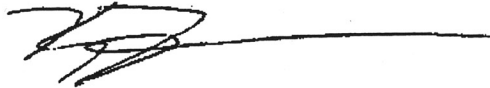
This encloses (1) a Statutory Declaration executed by Christopher Bennett; and, (2) two passport photos, one of which has been certified as a true likeness of Mr. Bennett. Mr. Bennett requests that you exercise your discretion pursuant to section 56 of the Controlled Drugs and Substances Act and grant him an exemption from sections 4 and 7 of the CDSA as they apply to cannabis (marihuana) possessed and produced for his own personal consumption.

Mr. Bennett uses cannabis for religious and spiritual purposes. In my view, the absolute prohibition on cannabis as modified by the Marihuana Medical Access Regulations (MMAR) constitutes an infringement of Mr. Bennett's rights pursuant to, without limitation, sections 2, 7 and 15 of the Charter of Rights and Freedoms. Mr. Bennett has the deeply held conviction that the use of cannabis is connected to his spiritual faith and this practice is integrally linked to his self-definition and spiritual fulfillment. By using cannabis, Mr. Bennett fosters a connection with the divine, implicating section 2. The marijuana prohibition forces him to choose between his liberty and his spirituality, implicating section 7. Finally, because other religions are permitted to use sacraments – even psychoactive ones – without fear of criminal prosecution and because medical cannabis users have access to an exemption program that spiritual cannabis users may not access, Mr. Bennett's section 15 rights are implicated.

December 15, 2008

I note that the CDSA currently allows for you to grant Mr. Bennett an exemption if it is in the public interest. I submit that preventing ongoing violations of critical sections of the Charter is in the public interest as is the facilitation of freedom of religion. I am aware that section 56 has been used to permit medical access to cannabis prior to and for some time after the promulgation of the Marihuana Medical Access Regulations. Mr. Bennett's statutory declaration sets out all of the information required by the Ministry in order to grant Authorizations to Possess and Personal-Use Production Licenses pursuant to the MMAR and Mr. Bennett asks only for authorizations of a similar nature and on similar terms and conditions in order to pursue his religious beliefs and practices.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirk I. Tousaw', followed by a long horizontal line extending to the right.

Kirk I. Tousaw
Barrister

PROVINCE OF BRITISH COLUMBIA

STATUTORY DECLARATION

I, Christopher Bennett of #3 – 1943 Charles Street, in the City of Vancouver, Province of British Columbia, Canada, make oath and declare as follows:

1. My name is Christopher Bennett and I make this statutory declaration from personal knowledge of the matters and facts stated in it.
2. This affidavit and the attachments to it are intended to be my application, pursuant to section 56 of the Controlled Drugs and Substances Act (CDSA) or any other applicable exempting process, for a limited exemption from the application of sections 4 and 7 of the CDSA as those sections relate to cannabis sativa (marijuana).
3. I use cannabis religiously and have done so since 1990. Because cannabis is illegal and there exists no specific exemptions from the criminal law for religious cannabis users, either by statute or regulation such as the Marihuana Medical Access Regulations (MMAR), I am continually in jeopardy of losing my liberty for exercising my religious beliefs. In addition, I am denied the ability to make choices concerning my own body and exercising control over my physical and psychological integrity free from interference by the criminal prohibition, a breach of my security of the person.
4. I have extensively researched and written on the issue of cannabis use and policy, generally, and cannabis and religion specifically. Along with authoring many articles and making presentations at conferences, I have published two books on the subject of cannabis and religion: *Green Gold the Tree of Life: Marijuana in Magic and Religion* (Access Unlimited, 1995) and *Sex, Drugs, Violence and the Bible* (Forbidden Fruit Publishing, 2001).
5. I sincerely believe, as a result of my religious convictions, that access to plants is a natural right of all people.
6. I came to the realization of this profound truth via a plant-based religious experience and, accordingly, I make this request on the basis of my right to religious freedom as set out in section 2 of the Canadian Charter of Rights and Freedoms.
7. However, the right to access the plants of the earth goes far beyond any particular religious dogma, as no matter what God a person may believe in, virtually all theistic religions believe that their respective deity or deities created the plants of the Earth.
8. Even from a human secularist view point, when discussing the right to access the plants of the earth we of necessity discuss the natural state of life on earth and humanity's indigenous relationship with those plants.
9. In the case of cannabis, as my own research into the matter fully documents, humans have had a relationship with that plant that goes back at least 10,000 years. This history includes the established use of cannabis in the world's oldest civilizations.

10. My own sincere and specific religious belief is that cannabis is the Biblical Tree of Life, a realization that came to me close to two decades ago.
11. In 1990, I first learned of the many uses of cannabis besides smoking it, such as fiber for clothes, seed for food, oils for paints and fuels and the like. At that time I was living in an area that was caught up in a battle between loggers and environmentalist and with knowledge of how cannabis (in the form of industrial hemp) could change things dramatically because, for example, 50% of trees cut go to the pulp mill and all of this could be replaced by renewable cannabis crops. I began to discuss and advocate for the use of cannabis to solve these environmental issues to all who would hear.
12. Simultaneous with these events, the first Gulf War in Iraq began to unfold which initiated a fear in myself and many others that this war could escalate to a global scale. Accordingly, I came to the belief that not only did cannabis for paper offer the solution to the over-logging of Canada's old growth forests and the conflicts about jobs versus environment in this area, but that it could also provide a viable bio-diesel alternative to the oil deposits that the first Gulf War seemed to be at least partially about.
13. During this period of time, I was working as a night watchman in a West Coast fish plant. One day, in the very early morning hours, I was sitting at the lunchroom table by myself, smoking cannabis and reading the newspaper. That newspaper contained an advertisement from a well known American Evangelist, about an upcoming stadium service and the theme of the sermon tied the then-ongoing Gulf War with Revelations 18 (The Fall of Babylon).
14. I became caught up in the apocalyptic ardor of the moment. I was already deeply influenced by societal imprinting that holds the scenario of Revelations as a deep core belief. I immediately retrieved a Bible from the night watchman's office and excitedly read through the Book of Revelations. I noted with interest how the Prophet John was given a scroll to eat before prophesizing. The scroll tasted sweet in his mouth and turned bitter in his stomach, which I understood then and believe now to be a descriptive of the use of a psychoactive substance. After coming to this understanding, the references to the incense with the prayers of the Saints (Revelation 5:8, 8:3) caught my interest and, finally, I read the end account of the Tree of Life.
15. At this point, I had an epiphany. Divine information-filled light entered my being leaving me with the strong intuitive knowledge and believe that cannabis was the Tree of Life described at the end of the Book of Revelation.
16. The description of the Tree of Life as it is given in Revelation is:

On either side of the River of Life stood the Tree of Life, which bear twelve manner of fruits, and yielded her fruit every month, and the leaves of the tree were for the healing of the nations.(Revelation 22:2).

17. Cannabis has well known, numerous and historical industrial uses (i.e. fruits). Its' leaves have historically been used for healing (and today Canadian residents are able to obtain legal authority to use cannabis for its healing potential pursuant to the MMAR). The seed of the cannabis plant, and oil

expressed from that seed, have many nutritional benefits. Cannabis is also harvested every month of the year. Knowing these facts and deeply under the influence of cannabis and the religious experience it provoked in me in the circumstances, I found it impossible to ignore these analogies with the Biblical Tree of Life.

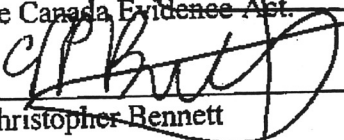
18. The next day, no longer under the immediacy of the cannabis-induced religious experience, my analytical mind began to feel the stirrings of doubt about this intuitive experience. I resolved to research my newfound understanding of cannabis' place in my theology to determine whether there existed support for my revelation or whether it was simply the product of cannabis' psychoactive effects.
19. It has been often said that the method of telling a genuine *theophany* from mere delusion is either by a sudden physical healing or if one is transmitted information which turns out to be true, *and which you had no way of knowing in advance*. Over eighteen years later, after collecting two massive volumes of documentation and with considerable academic support, I find myself believing in the veracity of my religious experience and the revelations produced by it more today than I did when it originally occurred.
20. Shortly after the initial experience I noted that others had independently accepted and realized this same belief in cannabis being the Tree of Life. For example, references appear throughout Rastafarian texts and music. For some time in the early 1990's I was involved with a Jamaican group known as the Ethiopian Zion Coptic Church which accepted cannabis as the Tree of Life. In or around 1991 I also that a church based in Hamilton, Ontario (the Assembly of the Church of the Universe) had a strong foundation of belief in cannabis being the Tree of Life. Shortly afterward, I joined the Church of the Universe as a Reverend and, since then, I have been instrumental to the Church in documenting the religious connotations and connections of cannabis, helping to bring this reality to a wider public and providing evidence that has gained notable academic support.
21. The books I have published on this topic are "*Green Gold the Tree of Life: Marijuana in Magic and Religion*" (Access Unlimited, 1995) and "*Sex, Drugs, Violence and the Bible*" (Forbidden Fruit Publishing, 2001). These books have gained considerable academic support and I have spoken on the subject in numerous television and radio interviews, as well as to the print media. I have given lectures on the topic of religious use of cannabis at universities and conferences, and have hosted two international conferences on the use of psychoactive substances (such as cannabis, ayahuasca and peyote) in religious and spiritual contexts.
22. I am aware that the Government of Canada exempts some persons, for medical reasons, from the application of the criminal prohibition on possessing and producing cannabis. The following tracks the MMAR application so that I can provide the Government of Canada with the information that it requires from others with exemptions from the application of the criminal law. I provide 2 passport photos certified in the manner that the Government of Canada accepts for the issuance of passports, including a

declaration of a guarantor meeting the criteria set out in the Government of Canada passport application process.

- a. Name: Christopher Bennett
- b. Address: #3 – 1943 Charles Street, Vancouver BC V5L 2V1
- c. Date of Birth: August 28, 1962
- d. Telephone: 604-255-6031
- e. Email: freeshiva@hotmail.com
- f. My address is a private residence and the mailing address is in care of my counsel (Kirk Tousaw 303 West Hastings Vancouver BC V6B 1H6 (p) 604.684.1420 (e) kirk@tousawlaw.ca).
- g. I consent to allowing Health Canada to exchange personal and medical information about my case with my appointed representative, Kirk Tousaw.
- h. The daily amount of cannabis that I consume is seven (7) grams. My primary method of ingestion is by inhalation.
- i. I plan to produce and store cannabis at my ordinary place of residence set out in subparagraph (b) above.
- j. I plan to produce cannabis entirely indoors. When granted the exemption I will install a home security system. The production site will be segregated from the remainder of the residence and locked by deadbolt. I have deadbolts on the exterior doors of my home at this time. With the exception of my daily needs, I will store dried cannabis inside the locked production facility in a locked container. The cannabis I use will be kept on my person at all times.
- k. I declare and confirm that the dried marihuana will be stored indoors.
- l. I am aware that a Notice of Compliance has not been issued under the Food and Drug Regulations concerning the safety and effectiveness of marihuana as a drug. I understand the significance of this fact
- m. I consent to using marihuana only for the spiritual purposes stated in this declaration.
- n. I am aware that the benefits and risks associated with the use of marihuana are not fully understood and that the use of marihuana may involve risks that have not been identified; and I accept those risks.
- o. Because my daily cannabis consumption is seven (7) grams per day, I state that I am aware of the potential risks associated with an elevated daily consumption of dried marihuana including risks with respect to the effect on my cardiovascular and pulmonary systems and psychomotor performance, risks associated with the long-term use of marihuana, as well as potential drug dependency and I accept these risks.
- p. To reduce the possibility of police intervention when I engage in activities allowed under my exemption, if asked, I permit Health Canada to communicate limited authorization and licence information to Canadian police in response to a request in the context of an investigation under the Controlled Drugs and Substances Act. *This authorization is only effective if I am issued an exemption pursuant to section 56.*

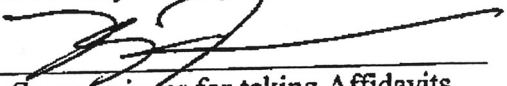
q. I attest, declare and confirm that the information on this declaration is correct and complete.

AND I MAKE THIS SOLEMN DECLARATION, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Christopher Bennett

DECLARED BEFORE ME at the City)
of Vancouver, Province of British Columbia)
this 11th day of August, 2008)



A Commissioner for taking Affidavits
within British Columbia.