

Catering

Terms and Conditions



August 2017

Update Summary

Date	Update Description (Click on blue link to jump to section)	Updated Pages
August 2017	<p>Providing Safe and Responsible Service Minors</p> <p>Catered Events Requesting a Catering Authorization</p> <p>Storing Liquor Unlawful or Private Liquor</p> <p>Liquor Register</p>	<p>7</p> <p>11</p> <p>17-18</p> <p>18</p>
July 2017	<p>Providing Safe and Responsible Service Serving It Right™: B.C.'s Responsible Beverage Service Program</p> <p>Serving and Selling Liquor Business Relationships with Event Hosts</p>	<p>6</p> <p>21</p>

Catering Licence Terms and Conditions

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Introduction

The purpose of the catering licence is to serve catered liquor and food to patrons at an otherwise unlicensed location for onsite consumption.

This handbook outlines the requirements of the *Liquor Control and Licensing Act*, Regulations and terms and conditions that relate to businesses holding a catering licence. It is the responsibility of the licensee to operate in compliance with these rules.

Licensees must follow B.C.'s liquor law and these terms and conditions at all times (as well as any further terms and conditions that might be printed on your licence or in letters issued to you by the general manager of the Liquor Control and Licensing Branch.

Throughout this handbook the term "general manager" refers to the general manager of the Liquor Control and Licensing Branch, who has legislative authority to make decisions regarding liquor licensing in British Columbia.

Licence terms and conditions change from time to time. Stay up to date by referring to the handbook and checking back on our policy directives page (<http://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-law-policy/policy-directives>).

Contact Information

If you have any concerns or questions, please contact your local liquor inspector or the Liquor Control and Licensing Branch at:

Mailing address
PO Box 9292 Stn Prov Govt,
Victoria, BC V8W 9J8

Office address
4th Floor, 3350 Douglas St.
Victoria, BC V8Z 3L1

Email
lclb.lclb@gov.bc.ca

Phone
250 952-5787 in Victoria

Toll-Free Phone
1 866 209-2111

A range of helpful information along with licensee handbooks, application forms and links to the *Liquor Control and Licensing Act* and Regulations are here: www.gov.bc.ca/liquorregulationandlicensing

Providing Safe and Responsible Service

Serving It Right™: B.C.'s Responsible Beverage Service Program

Serving It Right is a self-study course that educates licensees, managers and servers about their legal responsibilities when serving liquor, and provides effective techniques to prevent problems related to over-service.

Serving It Right must be completed by all licensees, managers (staff who supervise the sale or service of liquor) and servers (staff who sell or serve liquor). In regard to licensees, the following table shows who is required to complete Serving It Right.

Type of Licensee	Who Needs Serving It Right
Private or public corporation	Authorized signing officer of the corporation
Local government or First Nation	A person you identify as your representative
General partnership	At least one partner
Limited partnership	The general partner
Sole proprietor	The sole proprietor
Trust	Trustee
Non-profit corporation (e.g. a society)	Director or senior manager
Military mess	An officer in charge
Other (e.g. church, university, co-ops)	An officer, director, manager or other person satisfactory to the Liquor Control and Licensing Branch

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You are responsible for ensuring your employees take Serving It Right and you must keep records for at least six years that show the name of each employee, their Serving It Right certificate number and the expiry date, if applicable. You must produce this record to a liquor inspector or peace officer upon request.

Servers relocating to British Columbia with a valid certificate showing completion of a recognized responsible beverage service program in another Canadian jurisdiction are exempt from the Serving It Right requirement until the expiry of their certification. If you hire an employee with certification from another Canadian jurisdiction, you must keep the same information as for Serving It Right, along with the jurisdiction where the training occurred.

Effective September 15, 2020, servers holding certificates with no expiry date must obtain Serving It Right certification.

The course packages, exams, and certificate numbers can be found online at www.servingitright.com, or by phoning 604 633-9798.

Controlling Patron Behaviour

You and your employees are responsible for managing and controlling the behaviour of patrons. You must take reasonable measures to ensure your business does not disturb people near your catered events. Reasonable measures are measures that are reasonable in the circumstances and reasonably within the capacity of the licensee to effect.

You must also ensure that no one is harmed as a result of liquor misuse or criminal activity at your catered events. If your staff, customers or members of the community have reason to be concerned there is a threat to their safety, you must act on these concerns.

Staff or contractors providing door security at events are required to be licensed under the *Security Services Act*. Please visit <http://www2.gov.bc.ca/gov/content/employment-business/business/security-services/security-industry-licensing> for more information.

An individual who has been asked to leave, or who has been barred from entering a catered event, must not return for at least 24 hours. If a person does not comply, they are committing an offence and may be arrested. The Act allows the general manager to suspend or cancel a catering authorization and order the immediate removal of patrons when there is an imminent threat to people's safety. In this situation, you are required to take all reasonable steps to ensure patrons vacate the premises immediately.

In extraordinary circumstances, the general manager may suspend a catering licence or catering authorization or impose terms and conditions for up to 14 days without a hearing.

Preventing Disturbances

You must take reasonable measures to ensure your business and events do not disturb people in the vicinity. Advanced planning will often help to prevent potential issues. The general manager may limit the frequency of catered events at specific locations.

Minors

It is against the law for you or your employees to provide liquor to a minor (a person under 19 years of age). You and your staff are expected to put in place effective systems to meet this obligation. Minors may be allowed at catered events; however, minors are not permitted at catered events with adult entertainment or gaming.

Minors may be employed at your establishment or as entertainers or food servers at catered events, but they cannot serve liquor.

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If a catered event does not permit minors or permits them under specified conditions, it is recommended that you post signage at the entrance to your event site as a means to minimize unlawful entry by minors.

ID Requirements

You are responsible for ensuring that minors are not served liquor. If there is any doubt whether a customer is 19 or over, you and your employees should verify age by asking for two pieces of ID, carefully examining both pieces and acting on the authenticity of the identification. If you can't demonstrate that you have done this, you could be held responsible for serving a minor, if the person is under 19.

Primary ID

At least one of the ID must be a primary ID and it:

- Must be issued by a government agency; and
- Must include the holder's name, date of birth and picture.

Examples of primary ID include:

- State or provincial driver's licence
- Passport
- The Photo BC Services Card
- Citizenship card
- First Nations status card
- The federal Firearms Possession and Acquisition licence
- National Defence ID

Note that the B.C. Driver's Licence and Services Card, which combines the B.C. Driver's Licence and Services cards (formerly CareCard), counts as only one piece of ID.

Secondary ID

Used to verify the authenticity of the first piece, and must include:

- the holder's name; and
- either the holder's signature OR picture.

Any acceptable piece of primary ID can be used as secondary ID. Examples of other acceptable secondary ID include:

- BC CareCard (which will be replaced by 2018 with the Non-Photo BC Services Card)
- Interim driver's licence (issued by ICBC)
- BC Transit ProPASS
- University or college student card
- Credit card
- Canadian Blood Services donor card
- Transport Canada's Pleasure Craft Operator's Card
- Many bank cards and rewards cards

You can accept expired and foreign ID, as long as it is readable and you can recognize the customer from the picture.

You and your staff must decide on a case-by-case basis if the ID presented proves that the person is not a minor. If the person cannot produce two pieces of acceptable identification, you should refuse service.

You must cooperate with a liquor inspector if asked to determine whether a person is a minor.

Overservice and Intoxicated Patrons

It is your responsibility to make sure patrons do not become intoxicated at events you are catering.

You must not let a person who is apparently under the influence of alcohol or drugs enter or remain at a catered event. You must refuse the person service, have the person removed and ensure they depart safely.

You also must write down all incidents of intoxicated patrons and the action you took in an incident log, and have the information available for the liquor inspector or police officers.

Overcrowding

A catered event must not exceed the occupant load for the venue where it is being held or the maximum attendance (patrons and staff) stated in the catering authorization.

It is important that you know the occupant load for the venue where the catered event is being held, and ensure you stay within this limit. (If you are not sure what the occupant load is, contact the manager of the venue or the local government). You must have controls at every entry point into the venue, and you must be able to count the number of people entering and leaving.

Disorderly or Riotous Conduct

You must not allow violent or disorderly conduct or unlawful activities at a catered event. This includes behaviour that might cause a reasonable person to believe his or her safety is threatened. If you know or suspect that this kind of behaviour has taken place, is currently taking place or may take place, you must notify the police immediately.

Weapons

A weapon is defined as anything used or intended for use:

- In causing death or injury to persons whether designed for that purpose or not, or
- In threatening or intimidating any person.

You are responsible for ensuring that a person with a weapon does not enter or remain at your catered event. If you know or suspect that one of the patrons has a weapon, you should notify the police immediately.

Gaming

Gaming (also called gambling) is defined as playing or gaming, for money or other stakes, on an uncertain event; it involves chance and the hope of gaining something more than the amount paid to participate.

In most cases, all types of gaming licensed by the Gaming Policy and Enforcement Branch are permitted. However, if minors are allowed at a catered event, you must not permit any gaming except for ticket raffles and B.C. Lottery products.

You are responsible for exercising care and vigilance to ensure gaming does not take place without your knowledge. This ensures that unlicensed gaming by your patrons does not take place and that gaming does not occur at catered events where minors are present.

Unlicensed gaming pools, including those associated with major sporting events, are prohibited under the Criminal Code of Canada.

Employee Conduct

Liquor consumption – You and your employees cannot consume liquor at catered events or residential events.

Dress – Servers at catered or residential events must wear clothes. Servers must not wear prominently liquor brand-identified clothing, except as permitted during a promotion held by a manufacturer or agent when that person is at a catered event (See the “Relations with Manufacturers, Agents and Sales Representatives” section).

The Nature of Your Business

What does a Catering Licence Allow You to Do?

A catering licence enables catering companies to provide a full range of food and beverage services at their clients' events. Licensed caterers can purchase, transport and sell liquor, and may maintain a liquor inventory.

Focus on Food Service

As a licensed caterer, you are responsible for ensuring that your primary focus is the preparation and service of food. You must ensure you have the personnel and equipment necessary to prepare and serve food at events hosted by others.

That means you must meet the following requirements:

- **Kitchen equipment:** Must include commercial appliances, including an oven, refrigerator and dishwasher, as well as a food storage area and a food preparation area. Equipment needed to transport and serve food at events should also be available.
- **Food selection:** Must include a reasonable variety of appetizers and main courses.
- **Staffing:** Must have a cook and adequate servers to cater events.
- **Financial records and receipts:** Must be available for review upon request.
- **Food-to-liquor ratio:** The ratio of receipts from food sales to receipts from liquor sales at events must support the fact that your primary focus is food.

Events

Types of Events You May Cater

Events where liquor is sold by a licensed caterer are considered either residential events or catered events.

Residential events: These are invitation-only events held at a private residence, such as a dinner party or wedding.

Catered events: These are events held anywhere other than a residence, such as a community hall, park or corporate boardroom. Types of events may include weddings, business meetings, staff parties, festivals, sporting events, concerts or grand openings.

Caterers can also serve liquor at events where only the host provides the liquor. In these circumstances, the caterer cannot purchase, transport or sell the liquor; they may only serve it.

The terms and conditions in this handbook only apply to catered and residential events where the caterer is selling and serving liquor purchased under their licence.

Hosting Your Own Event

You cannot promote an event or invite people to an event that you are catering. There are two exceptions – caterers may host their own event if it is a customer appreciation or staff appreciation event. In these cases, you must personally invite the guests and you must provide the liquor at no charge.

Catered Events

Requesting a Catering Authorization

Anytime you are selling and serving liquor purchased under your licence at a catered event, you must submit a request for a catering authorization. You will be asked to provide key facts about the event. Requests must be submitted online via the OneStop Business Registry (www.bcbusinessregistry.ca). All requests must be submitted prior to the event.

Certain catered events are considered low risk and the requests will be approved automatically. Events considered higher risk require review by the local liquor inspector for approval.

Catered events will be considered low risk if the following circumstances apply:

- Events under 500 people
- Indoor events (other than community events) under 500 people
- Any event (other than a community event) where the duration of liquor service does not exceed two hours

All other events, as well as catered events with extended hours, will require the liquor inspector's approval. For these higher risk events, the request must be submitted 21 calendar days prior to the event.

In some circumstances, the Branch may require that all catered events from a certain caterer be approved by a liquor inspector. For example, cases where the caterer or business location is deemed high risk or the caterer has a poor compliance history.

The Branch may cancel an event authorization if the information for an event was inaccurate or has changed. The Branch may amend an event authorization upon request. The general manager may limit the frequency of catered events at specific locations. You must notify police, via fax or email, of all catered events.

Local Government/First Nation Approvals

You must keep copies of local government/First Nation approval on file for all community events, and for events with extended hours (outdoor events after 10 p.m. or indoor events after 2 a.m. on New Year's Eve). In addition, you must keep copies of approvals from the Tsawwassen First Nation or Nisga'a Nation for all events on their land.

If a local government or First Nation issued their approval subject to conditions, you must provide a copy of the conditions to the liquor inspector.

Security Plans

For certain events, your liquor inspector will ask you to submit a security plan. The security plan must describe the event in some detail, including staffing levels and security if required, liquor service areas and venue capacity. It must describe how key safety and security risks will be addressed, such as service to minors, overcrowding and intoxication, and control and safety of patrons, including entering and exiting the venue.

Whether you are required to submit a security plan will depend on factors, such as:

- The number of people attending the event and whether minors will be present
- How prominent drinking will be at the event
- The time of day and length of the event
- The type of event
- Target age and type of music that will be featured
- Whether the event is open to the general public
- The venue configuration and how easy it is to monitor patron behaviour
- Police capacity to respond to problem situations
- Previous events and the caterer's experience

Please go to http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lclb099_catered_event_safety_and_security_plan.pdf for a template security plan on the Branch's website. Someone other than you, such as the host or an event planner, may prepare the plan, but you are responsible for submitting it to the inspector.

Venue

The site of a catered event must be adequately separated from adjacent licensed and unlicensed areas, and all means of access to the event site must be supervised to the Branch's satisfaction.

Outdoor events must be surrounded by a barrier sufficient to confine the service and consumption of liquor. This assists you to control capacity, evaluate patrons when they arrive and prevent patrons from removing liquor from the licensed area. The type of perimeter fencing required will vary with the event. Stanchions may be sufficient for a small corporate event, whereas a community event would require more substantial fencing.

You must also ensure that all catered events comply with local bylaws, health and fire regulations. Catered events on land within the Agricultural Land Reserve must comply with Agricultural Land Commission requirements.

You must post a copy of your catering licence and the catering authorization and have available any local government approvals or security plans at the catering event.

Hours

You may sell or serve liquor only during the hours indicated on the Catering Authorization for a particular catered event. All liquor must be removed from patrons within half an hour of liquor service ending. Consumption of liquor is not permitted after this point.

Liquor may be served at indoor catered events between 9 a.m. and 2 a.m. and at outdoor catered events between 9 a.m. and 10 p.m. With local government and branch approval, liquor service hours for outdoor events may be extended until 2 a.m.

On New Year's Eve, liquor service at catered events may be extended until 4 a.m., as long as local government has granted approval and food is available to patrons.

On the night of a time change (spring or fall), you must operate according to the hours in effect at the start of the Saturday business day, and wait to change your clocks (forward or back) until after liquor service hours have ended for that business day.

Liquor Consumption

Patrons may only consume liquor in the service areas noted on the catering authorization.

Patrons may stand or walk around the area with their drinks, but you cannot permit patrons to consume liquor outside the service area, except:

- Patrons may take liquor into the washroom, as long as they are not walking through an unlicensed area or an area under another licence and you are properly supervising the washrooms

The host or patrons cannot bring their own bottles of liquor to consume at an event you are catering.

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It is recommended that you post signage informing your patrons of areas where they may not take their liquor.

Food and Non-Alcoholic Beverages

You must serve food and non-alcoholic beverages at catered events. While food does not need to be served at all times during an event, over the course of the event liquor service must be secondary to food service. At a minimum, appetizers must be served and more food may be required, depending on the length and type of event. Serving packaged snacks such as chips, peanuts and those commonly found in vending machines does not meet the minimum food requirement.

Residential Events

Residential events are events for a client and their invited guests held at a residence where the caterer sells liquor, such as a dinner party or wedding. Caterers do not require a catering authorization for these events.

Rules are as follows:

- Minors may attend residential events, but you must ensure that staff do not serve them liquor.
- You may only sell liquor to the host; you cannot sell drinks directly to the patrons at a residential event (i.e. only hosted bars are allowed).
- As a caterer, you may only sell liquor that has been purchased from the Liquor Distribution Branch. You may, however, serve liquor provided by the host or the host's guests, including commercially-made and homemade or UBrew/UVin (Ferment-on-Premises) product.
- There are no established hours for liquor service at residential events.
- All liquor you sell to the host for a residential event must be consumed at the event. At the conclusion of the residential event, all unused liquor purchased under your licence must be returned to your establishment, with the exception of unfinished bottles of wine, which the host may keep or guests may take home. Your staff must first re-seal the bottle.

Your Liquor Licence

You must post your liquor licence in a prominent place at your establishment. It must be immediately available for review by liquor inspectors and police.

Renewing Your Licence

You must renew your liquor licence before the licence expiry date each year and pay an annual licence fee. The fee is calculated based on the amount of liquor you purchased from the Liquor Distribution Branch during the 12-month period ending six months before your licence expiry date. For more details on fees, please refer to the website.

Note: The licence renewal fee must be paid each year, regardless of any other applications that may be in progress at the time (including a transfer application).

Transferring Your Licence

If you are selling your business and transferring your liquor licence to a new owner, the new owner must apply to transfer your licence to their name using the Transfer of Liquor Licence application form found on our website.

Changes to Your Licence

The details of your liquor licence application were the basis for granting you the licence. You must make the Branch aware of any changes that alter the material facts in the information you have provided the Branch, or a change in circumstance related to your licence. Some changes require prior approval of the Branch, while others require you to report the change within 10 days.

This is important because failure to do so is a licensing contravention and subject to penalty.

Below is a table of changes that require prior approval and those that require reporting. These are in addition to any items that are addressed elsewhere in this handbook.

Type of Change	How to Report	When Approval Required
Transfer of Location	Application	Before relocation occurs
Permanent Change to Liquor Licence: <ul style="list-style-type: none">Establishment/business or licence name changeRequest for change in terms and conditions	Application	Before permanent change to liquor licence occurs
Permanent Change to Licensee: <ul style="list-style-type: none">Change of directors or officers (corporation, society)Name change of licenseeAddition of receiver or trusteeAddition of executor or administrator	Application	Within 10 days of permanent change to licensee occurring
Third-Party Operator (add, change)	Application	Before third-party operator begins operating
Third-Party Operator (remove)	Letter	Before third-party operator is removed
Transfer of Ownership (including sale of liquor business and its assets)	Application	Within 10 days of the sale

Type of Change	How to Report	When Approval Required
Share Transfers or Changes <ul style="list-style-type: none"> Internal transfer of shares * External transfer of shares Amalgamation of corporate licensee, holding company or subsidiary 	Application	Within 10 days of share transfers or changes
Loss of Valid Interest <ul style="list-style-type: none"> Licensee no longer owns and runs establishment Licensee does not have certificate of title or lease for establishment location 	Letter	Within 10 days of loss of interest
Tied house association with a manufacturer or agent based on common ownership, an immediate family member or a third party operator	Letter, if not submitting an application in relation to the tied house	Before tied house association occurs
Tied house exemption (add/remove)	Application	At any time where a tied house has been identified
Court Action Involving Disposition of Liquor Licence	Letter	Within 10 days of notice received
Convictions (applicable to any individual licensee, or partner, shareholder, director, or officer of the licensee) <ul style="list-style-type: none"> Criminal Code offence Alcohol-related offence under Motor Vehicle Act or similar legislation elsewhere (in or outside of Canada) 	Letter	Within 10 days of conviction and confirmation at renewal
Dormancy**	Form	Within 10 days of dormancy occurring

Note: If there is enforcement action pending on your licence, change applications in progress will not be considered until it is concluded.

***Internal Transfer of Shares**

A licensee must report an internal transfer of shares respecting the licence or the licensee, other than:

- the removal of shareholders or
- the redemption or dissolution of shares

Unless:

- the licence has been identified as having an association with another licence (a tied-house), OR
- the removal of the shareholder or redemption or dissolution of shares results in any of the remaining shareholders moving from owning less than 10% of voting shares to owning 10% or more of voting shares in the licensee.

****Dormancy**

If you are planning to close your establishment for an extended period of time, for example for extensive renovations, you must report this closure to the Branch and you must also notify the Branch when you plan to restart regular operations (this notification requirement does not apply to seasonal closures).

All licences are permitted to be dormant for a period of two years. If your establishment is dormant because of extensive renovations caused by a fire, flood or other event beyond your control, you may apply for an extension to dormant status. If you cannot provide evidence of the incident and your efforts to rebuild, your licence will be cancelled after two years.

Note: If an establishment has multiple service areas, the licence is only considered dormant if all areas are not operating.

Providing Information to the Branch

You must be forthright in providing information to the Branch. Making a misleading statement or failing to disclose a material fact (such as misstating information about the size of an event, or that the lease on your property is about to run out, etc.) are contraventions.

A licensee must keep the following records, as applicable, for a period of at least six years from the date the records were created:

- a. liquor purchase records;
- b. liquor sales records, including quantity of liquor sold and prices charged;
- c. liquor disposal records;
- d. food sales records;
- e. sales records respecting other goods sold or services provided by the licensee in the establishment;
- f. contracts with other licensees;
- g. invoices and purchase receipts for all equipment and other inventory that is used in the operation of the establishment;
- h. management contracts and leases related to the establishment;
- i. records of incidents, such as fights or other disturbances and accidents, that adversely affect patrons or staff, people who live or work in buildings adjacent to the establishment or event site and the operation of the establishment or event site;
- j. records of court orders and judgments against a licensee respecting the sale, service or manufacture of liquor; and
- k. employee records including names, addresses, salaries, primary job responsibilities, shift schedules and dates of employment.

A licensee must prepare and maintain a register of liquor purchased and received and must keep the register for a period of at least six years from the date each entry was made.

In addition to the records and register referred to above, a caterer must keep the following records, as applicable, for a period of at least six years from the date the records were created:

- a. catering authorizations issued to the caterer;
- b. records that accompanied any application by the caterer for a catering authorization; and
- c. catering contracts entered into by the caterer.

Buying and Storing Liquor

Buying Liquor

You must purchase your liquor from a Liquor Distribution Branch liquor store, or other outlet designated (in writing) by the general manager or the Liquor Distribution Branch (LDB). The LDB also authorizes many liquor manufacturers to make direct sales and deliveries to licensees on behalf of the LDB. You cannot purchase liquor from a licensee retail store (commonly referred to as a private liquor store) or a private wine store, or sell UBrew/UVin (Ferment-on-Premises) product.

Whenever you buy liquor, you must identify yourself as a licensee. The liquor store will then record your purchase against your licence number. It is a serious contravention to buy liquor from another source or to purchase liquor that is not recorded against your licence number.

There are two exceptions to this requirement:

- If your establishment is located in a business that contains more than one licence held by the same person (for example, a hotel), you may purchase under only one of these licences if you choose, and sell the liquor in all of the establishments you own at that site. This is restricted to liquor primary, food primary and caterer licences.
- You may occasionally transfer a small amount of liquor to another bar or restaurant to balance stock if products run out unexpectedly. You cannot transfer or receive more than \$10,000 a year of liquor in this manner. Both parties must keep records within the liquor register indicating the quantity, brand and type (sku #) of liquor transferred, its value, date of transfer and the licence numbers of both parties.

Storing Liquor

You must store your liquor at your establishment or at an offsite storage area, if you have notified the Branch of the offsite storage location. Offsite storage areas must be in British Columbia and cannot be in a residence. You must advise the Branch if an offsite storage area is no longer being used by submitting an [Offsite Storage Notification form](#).

If you store liquor for more than one licence in a common liquor storage area, the liquor that was purchased or manufactured under each licence must be clearly identifiable.

You must keep a list of storage areas with the liquor licence and produce it upon request by a liquor inspector or police.

Unlawful or Private Liquor

You cannot buy, keep, sell or give unlawful liquor to anyone. Unlawful liquor is defined as:

- Liquor obtained from an unauthorized source
- Liquor not purchased under your licence
- Stolen or smuggled liquor
- Liquor intended for export
- Home manufactured or UBrew/UVin (Ferment-on-Premises) liquor (you may serve it at a residential event)
- Liquor purchased as a medicinal, confectionery or culinary product that is being used as beverage alcohol
- Liquor that has been adulterated, unless otherwise permitted below
- Samples that may have been left by a manufacturer or agent

You are accountable for any unlawful liquor found anywhere at your establishment or at a catered event. It is not acceptable to say that unlawful liquor made its way into your stock by accident, that it was a gift for personal use or that an employee left it there.

Take the following steps to avoid having unlawful liquor at your establishment:

- If you recently purchased your establishment, conduct a thorough audit of all liquor on the premises to ensure none is unlawful
- Put safeguards in place to ensure no one waters down or otherwise unlawfully adulterates your liquor supply (the extent of the safeguards required will vary depending on the circumstances)
- Keep cooking alcohol (and culinary products containing alcohol) in the kitchen and separate from liquor kept for sale

Liquor Register

A liquor register is a record of all your purchases (i.e. receipts and invoices) for your liquor inventory, including any liquor transfers. You must keep a liquor register and it must be available for inspection at all times. Liquor registers may be hardcopy or digital.

A liquor inspector or police officer may look at your register and compare it to your stock to make sure you have purchased your liquor lawfully.

If an inspector is unable to verify that the liquor on your premises was purchased legitimately, the liquor may be seized. It is therefore in your best interest to ensure your records are kept in a legible, orderly fashion so that an inspector can easily match your stock to your records.

You must also be able to account for any liquor that was lost due to spoilage and breakage. This can be done by either keeping a written record in a log book or by making a notation on the original receipt or invoice.

Best practices for keeping a liquor register:

- Keep all your receipts and invoices for liquor purchases in chronological order and separate from receipts and invoices for non-liquor purchases.
- Photocopy or scan receipts printed on thermal paper to protect the record from fading over time.
- Maintain a separate log book to record any liquor lost due to spoilage and breakage.

Serving and Selling Liquor

Drink Prices

There are no restrictions on liquor pricing at catered events. You may vary the price of liquor at different events, serve liquor at a hosted bar (e.g. where the client is paying the tab for their guests at the event) and may hold happy hours.

To help encourage moderate consumption:

- You cannot give away multiple drinks that could lead to overconsumption
- You must not provide unlimited or unspecified quantities of liquor for a single price or use a sales strategy that is likely to promote or encourage overconsumption. For example, you cannot:
 - Sell drinks "two for one"
 - Allow staff to circulate with trays of pre-mixed drinks, such as shooters, that are not pre-ordered by patrons or the host
 - Serve any drinks greater than the maximum drink sizes – for example, by the "tray load"
 - Pour drinks into the mouths of patrons
 - Permit the self-service of liquor by patrons

Price Lists

You must have a list available showing:

- The types of liquor that you sell
- The size of each drink (in fluid ounces or millilitres)
- The price, specifying whether or not taxes are included and what the applicable taxes are, including any drink specials you are currently offering

You do not have to include a complete list of all available mixed drinks, as long as you clearly list the price and amount of liquor (for example, "mixed drinks contain 1 oz of liquor, and cost 'x' for bar brands and 'y' for premium").

You may post the price list or have a copy at all tables. At a minimum, it must be available on request.

You must tell patrons the drink prices for a cash bar, but for a hosted bar you only need to state that the liquor is provided by the host free of charge. Your price list should also include any drink specials you are currently offering.

Serving Liquor

Only you or your employees may sell liquor at an event, and you or your employees must be in attendance at the event at all times that liquor is being sold or served. You and your employees must not consume liquor at an event. Servers must wear clothes.

You must remove any unused liquor at the end of the event and return it to the inventory at your establishment. With the exception of re-sealed bottles of wine, you cannot leave unfinished bottles of spirits or unopened bottles of liquor at the event.

Drink Sizes

You must encourage moderate consumption at all times and cannot provide a customer with a single serving larger than the maximum serving sizes specified below.

Distilled liquor:

- Single servings of no more than 3 fl oz (85 ml) per person at a time
- Drinks that two or more patrons intend to share may be served in pitchers or similar, but the maximum of 3 fl oz per person must be maintained
- You cannot sell or serve whole bottles of distilled liquor (“bottle service”)

Draught beer and cider:

- Single servings of no more than 24 oz (680 ml)
- Smaller servings of multiple brands, as long as the total served at one time is no more than 24 oz (680 ml)
- Pitchers or other multiple serving containers, as long as it is shared by two or more patrons and contains no more than 60 oz (1.7 litres)

Bottled beer:

- Maximum two standard-sized or one large-sized (up to 24 oz or 680 ml) bottle of beer per patron at one time.

Wine:

- Single servings of 10 oz (284 ml) or smaller servings of multiple brands provided the total served at one time is no more than 10 oz (284 ml)
- The standard 750 ml bottle, as long as it is to be consumed by at least two people and with food
- Non-refillable containers of 0.75 litre to 1.5 litres, or in refillable containers of no more than 1.5 litres

The maximum single serving size can be divided into two or more different types of drinks, as long as the total does not exceed two standard drinks. For example, you may serve a patron a 12 oz sleeve of beer and a 5 oz glass of wine (or alternately 1.5 oz spirits) at the same time. You may not serve a patron more than this amount even if the patron claims to be ordering for the entire table. For example, the order is taken at the service bar.

Dispensing Liquor and Mixing Drinks

You are permitted to pre-mix drinks by hand or using devices, such as a Bellini machine, in anticipation of patrons ordering them, as long as the liquor used comes from the original containers purchased from the Liquor Distribution Branch. You cannot refill original containers purchased from the Liquor Distribution Branch with anything. Doing so would make monitoring unlawful liquor difficult.

You are permitted to infuse liquor and age cocktails, as long as it is done in a container other than the original container the liquor was in when legally purchased. In the case of infusion, you may infuse liquor with spices, herbs, fruits, vegetables, candy or other substances intended for human consumption. In the case of aging cocktails, licensees may prepare a cocktail with any substance intended for human consumption.

You must clearly label each container used for infusing or aging a cocktail with the following information:

- The date the infusion was prepared or the date the cocktail was placed in the container for aging
- The type, brand and quantity of liquor used
- The non-liquor ingredients used
- The name of the person who infused the liquor or prepared the cocktail for aging

You must infuse liquor and age cocktails at your establishment and you must not remove the liquor from your establishment, other than to bring the liquor to a catered or residential event.

Business Relationships with Event Hosts

You must retain all revenue from liquor sales at an event. You must not give any portion of the revenue from liquor sales to the event host.

You must not cater a series of events for the same person if it appears that you are operating an ongoing business with that person.

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Universities and colleges with a catering licence or catering endorsement may cater a series of events hosted by the university or college (or events hosted by groups associated with the university or college) as long as the events are held on-campus.

Gift Cards

You may sell or offer gift cards/certificates. Gift cards may be redeemed for a future event or at another establishment (any of your licensed outlets or at places where you have an agreement to accept each other's gift cards).

You may use a gift certificate business to administer your card/certificate program.

Advertising Your Business

Advertising means any public notice, announcement or display including liquor packaging through any means of communication that is intended to promote:

- liquor products;
- the brand name of liquor;
- the name of premises where liquor is available or the opportunity to make liquor is available; or
- the name under which the holder of the licence or permit carries on business.

References to liquor products, manufacturers, establishments, etc. in journalism articles or in scientific or academic research reports not paid for by the licensee, is not considered advertising.

All of your advertising must comply with the [Canadian Radio-television and Telecommunications Commission's Code for Broadcast Advertising of Alcoholic Beverages](#) and *Liquor Control and Licensing Regulation*. (Please see the Appendix for more on the broadcast code.)

What You May Advertise

You may advertise:

- The services you offer at events, including food and entertainment
- What kind of liquor may be offered at events
- How much you charge for liquor

You may not advertise the availability, sale or service of liquor in relation to an ongoing or upcoming event you are catering.

Signs

The name of your business and exterior signage must be approved by the Branch. All business names and signage must comply with the advertising terms and conditions and cannot mislead the public as to the class of liquor licence you hold. Your signs must also comply with local government bylaws.

Internet Group Discounts

Third-party companies cannot legally include liquor as part of a promotion. You may not participate in internet discount promotions that include liquor.

Entertainment

What You Can Offer

The entertainment offered at a catered event must be compatible with the nature of the event and must not interfere with your ability to maintain effective care and control. For example, if the entertainment is in a service area, you must ensure that patrons will not be so crowded together that staff will be unable to observe and control their conduct.

Entertainment must conform to local bylaws and must not create excessive noise or otherwise negatively impact nearby residents and businesses.

Entertainment, games and activities that may jeopardize patron or public safety are not permitted.

If a catered event features adult entertainment, you must post a sign at the entrance.

Adult entertainment includes:

- *Exotic dancers* – entertainers who remove clothing during a performance and/or perform in a sexually suggestive manner (does not include burlesque performers)
- *Adult-oriented performers* – entertainers who present performances not suitable for minors (nudity, sexual content, violence, obscene language)
- *Adult-oriented activities* – activities not suitable for viewing by minors (full or partial nudity, sexual content, violence, degradation or abuse)

Belly dancing, unless performed completely or partially nude, is not adult entertainment. Burlesque performers are adult-oriented performers who may remove clothing as part of a routine without exposing genitalia or nipples.

What You Cannot Offer

If minors (including minor employees) are present at a catered event:

- Adult entertainment is not permitted
- The only type of gaming allowed is a ticket raffle

Entertainer Conduct

Entertainers who are 19 years and older may consume alcohol while performing and remain in the licensed area during their breaks. They must not become intoxicated.

Relations with Liquor Manufacturers and Agents

There are strict rules regarding how you can work with liquor manufacturers and agents to promote liquor products. For more information regarding agents and their role, read the definition in the “Glossary” section or refer to the Manufacturer Terms and Conditions Handbook.

Agents and B.C. manufacturers may hire employees to promote and market the manufacturer’s liquor products that the agent is authorised to represent. Agents and manufacturers are responsible for ensuring their employees follow B.C.’s liquor laws and the terms and conditions of their licence. Agents and manufacturers must also provide their employees with identification that establishes them as marketing representatives.

Activities Not Permitted: Inducements

The Act prohibits you from asking for or receiving benefits for selling a particular liquor product. You cannot, for example, demand that a manufacturer or agent supply additional product at either no cost or at a reduced cost in return for purchasing their product.

You may accept information and ideas to help you improve your business, but this information must come directly from the manufacturer or agent, and not through an outside consultant. You cannot accept advice about borrowing money or locating financing.

You are also prohibited from accepting any items, products or services from a manufacturer or agent that are necessary for the operation of your business. This includes financial assistance, as well as fixtures and furnishings or permanent display structures.

In addition:

- Manufacturers cannot offer volume discounts or offer discounted product in exchange for marketing benefits.
- You must always pay for your own advertising. A liquor manufacturer or agent cannot pay any of your advertising costs (or vice versa), nor are you permitted to have a joint marketing plan. With permission from a manufacturer or agent, you can include the manufacturer’s logo in your ads, but you cannot demand or receive any kind of compensation in return.
- You must carry and make available to consumers a representative selection of brands of liquor products from a variety of suppliers that are not associated with or connected with each other.

Activities Permitted With Approval: Tied Houses

A tied house is a business that has an association (financial or otherwise) with a liquor manufacturer or its agent that is likely to lead to its products being favoured. A tied house relationship exists where:

- You have any amount of ownership interest in a manufacturer/agent licence (for example, a shareholder in your company also has shares in a business that holds a winery licence); OR
- your proposed third-party operator has any amount of ownership interest in a manufacturer/agent licence; OR
- you have an immediate family member with any amount of ownership interest in a manufacturer/agent licence. Immediate family members include spouses, parents, siblings and children only.

If any of these circumstances exist, you are considered to be in a tied house relationship with a manufacturer and you are prohibited from carrying or selling that manufacturer’s product.

There are two circumstances under which this prohibition does not apply (commonly known as tied house exemptions):

1. If you are owned by a manufacturer and located at that manufacturer's site, you may carry and sell that manufacturer's product with no restrictions. In this case, you aren't required to carry the products of any other manufacturer, but may do so if you choose.
2. If you are in a tied house relationship with a small or medium-volume manufacturer but are located elsewhere, you may apply to the Branch to allow you to carry and sell that manufacturer's products. The number of exemptions you may apply for is not restricted, but the manufacturer may only have ties with up to three offsite licensed establishments, and must agree to this arrangement during the application process. If approved, you may sell that manufacturer's products but must also sell products from other manufacturers in that product category.

The inducement restrictions do not apply to a licensee and manufacturer in an approved tied house exemption.

Activities Permitted

Promotional Items

You may accept promotional items of nominal value (such as coasters, tent cards, signs and posters) from liquor manufacturers and agents, as long as:

- Your menu already lists the brand of liquor identified in the promotional materials
- It does not appear that you are promoting a particular liquor product or the products of a particular manufacturer (brand-identified or corporately-identified items of a particular liquor manufacturer must not predominate).

You may use brand-identified glassware, as long as you purchase it at fair market value and you retain proof of purchase for two years.

You may buy clothing and novelties (such as shirts, caps, key chains, etc.) with the name or brand of a particular liquor or liquor manufacturer, and re-sell them to clients or employees. These items may display the name of your business.

You may accept promotional clothing items with a manufacturer's name or brand on them to give away to patrons. You cannot take any promotional items for personal use or future promotions, and you cannot sell them (you may only sell items you have purchased).

A liquor manufacturer or agent may loan you more expensive promotional items (signs, patio umbrellas, menu boards, etc.) or temporary display structures. These items will remain the property of the manufacturer.

You cannot place bottles of liquor on tables as a promotional or point-of-sale device.

Product Samples

As a way of introducing their products, a manufacturer or agent may give you product samples in order to introduce you as a licensee to their product. The amount you receive must not be more than one bottle of the smallest available size per product in any one year, and must not exceed these size limits:

- Distilled spirits: One bottle of the smallest available size per product (750 ml)
- Wine: The smallest available size per product per vintage (not exceeding two litres)
- Beer, cider, coolers: One dozen of the smallest available size bottles or cans (total not exceeding four litres)

You must keep a record in your liquor register of all samples received, including the date, name of the manufacturer or agent, name of the product and volume of the product. Only you and your staff may consume this product in a private place outside the service area. It is not intended for your patrons and must not be served to them.

Sponsorships

Manufacturers and agents may sponsor activities at catered events. However, you cannot have an ongoing relationship with the manufacturer/agent. The manufacturer may advertise the sponsored event or activity.

Educational Events and Activities

You may attend educational events or activities, such as an all-day "wine school," hosted by a liquor manufacturer or agent.

You may accept payment from the liquor manufacturer or agent for legitimate travel, meal, accommodation and entertainment expenses associated with the educational event, up to \$1,500 per year per licensee location. If you have multiple licensed establishments (for example, a chain of restaurants) you may also accept expenses of \$1,500 per person, to a maximum of \$4,500 per head office per year.

Hospitality

A liquor manufacturer or agent may pay for your hospitality expenses not associated with an educational event, at a rate of up to \$1,500 per licensee location per year.

Compliance & Enforcement

As a licensee, you are required to:

- Follow all of the terms and conditions.
- Always allow liquor inspectors and/or police officers to enter your establishment. Never impede their entry in any way.
- Never draw attention to liquor inspectors inside your establishment. This can affect the inspectors' safety.
- For more information on Compliance & Enforcement, please see our website.

If your licence is suspended, you are not permitted to sell, serve or permit consumption of liquor.

Posting Signs Relating to Suspensions or Monetary Penalties

If a suspension or monetary penalty is imposed on your licence, the Branch may post a sign in a prominent location in the interior or on the exterior of your establishment.

You must ensure the signs are posted for the entire period of the suspension or for monetary penalties, as specified on the sign.

During the period that the signs must remain posted, you must ensure the signs are not defaced, obstructed or moved.

Other ministries also have terms and conditions you must follow. Please visit

<http://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-law-policy/other-relevant-laws> for more information.

Glossary

“The Act” means *The Liquor Control and Licensing Act*, the provincial legislation that guides the licensing of establishments that manufacture, store or sell liquor in B.C.

“Agent” refers to a holder of an agent licence who represents products manufactured outside British Columbia. An agent may advertise and promote liquor to licensees, liquor stores and the public, but can only sell liquor from any manufacturer they represent to the Liquor Distribution Branch in a manner authorized by the Liquor Distribution Branch.

“The Branch” means the Liquor Control and Licensing Branch, the government agency that administers the Act.

“Business location” means a permanent location housing the caterer’s commercial kitchen and secure liquor storage.

“Host” refers to the client that hired you to cater food and liquor at an event.

“Licensee” refers to any individual, individuals or corporate body that holds a British Columbia liquor licence. The term covers both the licensee of record and any person acting in the place of the licensee, such as a manager or person in charge of an establishment in the licensee’s absence.

“Manufacturer” refers to a B.C. manufacturer of liquor products (beer, wine, spirits, cider, coolers) or the corporate official of a liquor manufacturer.

“Occupant load” means the number of people, including staff, who can be in a premises at one time.

“Residence” means a private dwelling (where someone lives) and the land surrounding it.

APPENDIX

CRTC CODE FOR ADVERTISING ALCOHOLIC BEVERAGES

Commercial messages for alcoholic beverages shall not:

- attempt to influence non-drinkers of any age to drink or purchase alcoholic beverages;
- be directed at persons under the legal drinking age, associate any such product with youth or youth symbols, or portray persons under the legal drinking age or person who could reasonably be mistaken for such persons in a context where any such product is being shown or promoted;
- portray the product in the context of, or in relation to, an activity attractive primarily to people under the legal drinking age;
- contain an endorsement of the product, personally or by implication, either directly or indirectly, by any person, character or group who is or is likely to be a role model for minors because of a past or present position of public trust, special achievement in any field of endeavour, association with charities and/or advocacy activities benefiting children, reputation or exposure in the mass media;
- attempt to establish the product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of the product should take precedence over other activities;
- imply directly or indirectly that social acceptance, social status, personal success, or business or athletic achievement may be acquired, enhanced, or reinforced through consumption of this product;
- imply directly or indirectly that the presence or consumption of alcohol is, in any way, essential to the enjoyment of an activity or an event;
- portray any such product, or its consumption, in an immoderate way;
- exaggerate the importance or effect of any aspect of the product or its packaging;
- show or use language that suggests, in any way, product misuse or product dependency, compulsive behaviour, urgency of need or urgency of use;
- use imperative language to urge people to purchase or consume the product;
- introduce the product in such a way or at such a time that it may be associated with the operation of any vehicle or conveyance requiring skill;
- introduce the product in such a way or at such a time as may associate the product with any activity requiring a significant degree of skill, care or mental alertness or involving an obvious element of danger;
- contain inducements to prefer an alcoholic beverage because of its higher alcoholic content;
- refer to the feeling and effect caused by alcohol consumption or show or convey the impression, by behaviour or comportment, that the people depicted in the message are under the influence of alcohol;
- portray persons with any such product in situations in which the consumption of alcohol is prohibited; or
- contain scenes in which any such product is consumed, or that give the impression, visually or in sound, that it is being or has been consumed.

