

Date: October 20, 2016

To: All LCLB Staff
All licensees
All industry associations
All local government, First Nations and police agencies

Re: Food primary licence and catering licence policy changes

Please note: These policy changes will come into effect on January 23, 2017

1. Permit patrons in a hotel liquor primary or food primary to take an unfinished drink to their room

Current Policy

Guests at hotels with a liquor primary or food primary are restricted to drinking alcohol in the licensed service area of the hotel.

New Policy

Guests at hotels with a liquor primary or food primary, as well as anyone who accompanies a guest to their room, can take unfinished alcoholic beverages from the bar or restaurant to their room to drink, as long as they take a direct route. If the guest's room is in a separate building from the bar or restaurant but on the same property, patrons can take unfinished alcoholic beverages to their room as long as they take a direct route and don't leave the hotel's property. A guest can also drink an unfinished alcoholic beverage that was purchased from the bar or restaurant while walking to their room. Licensees must not permit a patron to take unfinished alcoholic beverages to their room if the person is intoxicated.

This policy only applies if the hotel/resort and the liquor primary or food primary licence have the same owner.

2. Permit establishments to have dual food primary and liquor primary licensing

Current Policy

Food primary and liquor primary establishments may not occupy the same location with each licence operating under different hours. For example, an establishment may not operate as a food primary until 9 p.m., and then as a liquor primary from 9 p.m. until closing.

New Policy

Food primary establishments can apply for a liquor primary licence at the same location and operate as a bar or nightclub after a certain hour, such as 9 p.m. The standard procedure for applying for a liquor primary licence, which includes comment from the local government/First Nation and the public, applies. Liquor primary establishments can also apply for a food primary licence at the same location and operate as a restaurant and permit minors during specified hours, such as until 7 p.m.

3. Streamline requirements for promotional events

Current Policy

Manufacturers and agents must have a theme night to promote their products at food primary establishments, and the events must have an educational component.

New Policy

The rules for manufacturers and agents hosting promotional events at food primaries have been streamlined. Manufacturers and agents are no longer required to have a theme night or an educational component to promote their products at establishments. See page 23 of the terms and conditions for more information.

4. Remove restrictions on BYOW at banquet halls

Current Policy

Licensees may not allow patrons to bring their own wine to a banquet hall.

New Policy

Subject to approval by the licensee, patrons can bring their own commercially-produced wine to licensed functions at food primary banquet halls.

5. Remove requirement for licensees to state where unfinished wine must be stored in a vehicle

Current Policy

Before allowing a patron to remove an unfinished bottle of wine, a licensee must instruct the patron about where the liquor must be stored in a vehicle.

New Policy

Licensees are no longer required to instruct patrons about where unfinished wine must be stored in a vehicle.

6. Allow food primaries to shift the focus of the business away from food service when liquor service isn't occurring

Current Policy

The primary focus of a business with a food primary licence must be the service of food at all times.

New Policy

If liquor is not being served, a food primary can now operate without a focus on food in the service area (i.e. the area where liquor may be sold, served or consumed.) Also new is that any business, even businesses without a primary focus on food service, can now apply for a food primary licence. For example, a bookstore may apply for a food primary licence and have a restaurant space within the bookstore.

7. Liquor-free events at food primaries

Current Policy

Food primaries (FPs) may hold an unlimited number of liquor-free events and are not required to notify the branch.

New Policy

FPs are now required to notify the branch (through OneStop) at least 14 days in advance of any liquor-free event that ends between 8 p.m. and close, regardless of the event start time. There continues to be no restriction on the number of liquor-free events. You must follow all of the terms and conditions outlined on page 12 of the food primary licence.

Explanation

This change enables inspectors and police to monitor late night all-ages events as necessary to maintain public safety.

8. New food primary application process regarding fees

Current Policy

When applying for a food primary licence, an applicant must submit a \$475 application fee along with their completed application form. If the application is approved, the applicant must then pay a \$475 first-year licensing fee before receiving the licence.

New Policy

When applying for a food primary licence, an applicant must now submit a \$950 fee along with their completed application form. This fee combines the application fee and the first-year licensing fee. If the application is denied, the applicant will be reimbursed the \$475 first-year licensing fee.

Explanation

This change saves time and streamlines the process at the time of licensing by removing delays due to a payment notification going out and awaiting the return of the payment.

9. Allow caterers to store liquor off-site

Current Policy

Caterers must store their liquor at their business location.

New Policy

Caterers may now store liquor off-site if they notify the branch of the storage location.

Additional policy changes

Please see the General Policy Directive and the Compliance and Enforcement Policy Directive for additional policy changes that apply to food primary and catering licences.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.gov.bc.ca/liquorregulationandlicensing>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

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