

Date: June 4, 2019

To: All LCRB staff
All licensees
All industry associations
All local governments, first nations and police agencies

Re: Choice of Penalty Policy Change

Please note: This policy directive supersedes the choice of penalty policy outlined in Policy Directive No: [16-19](#) and is effective June 5, 2019

1. Choice of penalty

Current Policy

A licensee may be permitted to choose one of either penalty (monetary penalty or licence suspension) if:

- it is the first contravention of a licence or authorization for the 12-month period preceding the contravention,
- the minimum of either penalty (monetary penalty or suspension) prescribed in the penalty schedule is suitable, and
- they sign a waiver agreeing the contravention occurred.

New Policy

A licensee may be permitted to choose one of either penalty (monetary penalty or licence suspension) if:

- it is the first contravention of a licence or authorization for the 24-month period preceding the contravention,
- the minimum of either penalty (monetary penalty or suspension) prescribed in the penalty schedule is suitable, and
- they sign a waiver agreeing the contravention occurred.

Explanation

This change aligns with the new penalty schedule that takes effect on June 5, 2019. The new schedule considers a contravention to be a first contravention if the same contravention has not been committed within the preceding 24-month period. This is an extension from the previous threshold of 12 months.

Further Information

Further information regarding liquor and cannabis control and licensing in British Columbia is available on the Liquor and Cannabis Regulation Branch website at:

<http://www.gov.bc.ca/liquorregulationandlicensing>

If you have any questions regarding these changes, please contact the Liquor and Cannabis Regulation Branch toll free in Canada at: 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

Mary Sue Maloughney,
Assistant Deputy Minister and General Manager