



**DECISION OF THE
GENERAL MANAGER
LIQUOR CONTROL AND LICENSING BRANCH**

IN THE MATTER OF

A hearing pursuant to Section 20 of

The Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267

Licensee: 1037008 BC Ltd.
dba King Edward Hotel
5170 Argyle Street
Port Alberni, BC V9Y 1V2

Case: EH 16-046

For the Licensee: Rob Jadresko

For the Branch: Hugh Trenchard

General Manager's Delegate: Nerys Poole

Date of Hearing: September 8, 2016

Date of Decision: September 30, 2016

**Liquor Control and
Licensing Branch**

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INTRODUCTION

The licensee operates a liquor primary facility known as the Port Pub, situated in the King Edward Hotel, located at 5170 Argyle Street in Port Alberni (the "Port Pub"). Liquor primary licence No. 301092 permits the licensee to sell liquor from 11:00 a.m. to 1:00 a.m. Monday to Saturday and from 11:00 a.m. to midnight on Sundays.

Peter (Ping) Wang (the "licensee") is the sole shareholder of the numbered company holding the license for the Port Pub. The licensee did not appear at the hearing. Rob Jadresko appeared as the licensee's representative at the hearing.

The licence is, as are all liquor licences issued in the province, subject to the terms and conditions contained in the *Guide for Liquor Licensees in British Columbia* (the "Guide").

ALLEGED CONTRAVENTION AND PROPOSED PENALTY

The branch alleges that, on Saturday, March 12, 2016 (business day of Friday, March 11, 2016), the licensee contravened section 43(2)(b) of the *Act* by permitting an intoxicated person to remain in that part of a licensed establishment where liquor is sold, served or otherwise supplied.

The branch's allegations and proposed penalty are set out in the Notice of Enforcement Action dated May 12, 2016 (the "NOEA") (Exhibit 1, tab 1).

For a first contravention of this type, Schedule 4, item 11 of the *Liquor Control and Licensing Regulation* (the "Regulation") provides a range of licence suspension penalties from four to seven days and/or a monetary penalty of \$5,000 to \$7,000. The branch recommended a monetary penalty of \$5,000 in the NOEA. During the hearing, the liquor inspector agreed on a four day suspension if the licensee prefers this to the monetary penalty.

The licensee disputes the contravention.

RELEVANT STATUTORY PROVISIONS

Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267

Drunkenness

43 (2) A licensee or the licensee's employee must not permit

(b) an intoxicated person to remain in that part of a licensed establishment where liquor is sold, served or otherwise supplied.

ISSUES

1. Did the contravention occur?
2. If so, has the Licensee established a defence to the contravention?
3. If the contravention is proven, what penalty, if any, is appropriate?

EXHIBITS

Exhibit 1: Branch book of documents, tabs 1 to 15.

WITNESSES

The Branch called two witnesses:

- The RCMP officer who attended the Port Pub on the evening of March 11/12, 2016 (the "RCMP officer")
- The liquor inspector who wrote the Contravention Notice and the NOEA (the "liquor inspector")

The licensee called four witnesses:

- The manager of the Port Pub at the time of the incident on March 11/12, 2016 (the “manager”)
- The cook at the Port Pub at the time of the incident (the “cook”)
- The server at the Port Pub at the time of the incident (the “server”), who testified by telephone
- The general manager of the Port Pub and two other licensed establishments owned by the licensee, and the licensee’s representative at the hearing (the “general manager”)

EVIDENCE AND FINDINGS

History and Management of the Port Pub

In August of 2015, the licensee bought the King Edward Hotel, which included the Port Pub. The previous owners/licensees of the Port Pub had operated it as a strip club. The licensee wanted to change the image and atmosphere of the pub. He introduced a large screen TV and Friday night karaoke. At the time of obtaining the transfer of the liquor primary licence for the Port Pub, the licensee and the resident manager attended at the inspection interview as shown on the inspection interview sheet dated August 26, 2015 (Exhibit 1, tab 7). The resident manager no longer works at the King Edward Hotel or the Port Pub. The manager who testified began working as manager at the Port Pub in early January of 2016.

The general manager testified about his involvement in advising the licensee about his purchase of the King Edward Hotel. The licensee knew the general manager as he had continued to work for the licensee after he purchased his pub in Nanaimo in 2014. The licensee wanted him to remain as manager in the Nanaimo pub as the licensee was not interested in managing it himself. Initially, the general manager was not in favour of the purchase of the King Edward Hotel because of the reputation it had as a strip club. The licensee told the general manager he wanted to change the atmosphere and type of clientele who had been coming to the Port Pub and to encourage a friendlier

community-oriented pub atmosphere, similar to the Nanaimo pub. About the same time as he bought the Nanaimo pub, the licensee bought a pub on Gabriola Island. Once the licensee purchased the Port Pub, he asked the general manager to oversee the three establishments.

The general manager visited the Port Pub about once a week and was in touch with the manager via text and emails through the week. The general manager described his relationship with the manager as counterparts, rather than as a supervisor over the manager. The licensee hired the manager and was his direct boss.

RCMP Attendance at the Port Pub on March 11/12, 2016

On the evening of March 11/12, 2016, at approximately 12:40 a.m., two RCMP constables attended the Port Pub. The two constables were responding to a call made to the Port Alberni dispatch office about a male refusing to leave the pub and causing an altercation.

The manager took exception to the statement in the police report (Exhibit 1, tab 9), stating that he had called to report an intoxicated patron. He called RCMP because he was very concerned about the aggressive behaviour of a patron and the resulting physical altercation between the patron and the cook. I accept the manager's statement about the reasons for the call, as the police report is based on hearsay from the dispatch person. The RCMP officer explained that he does not receive the calls, that they go through the dispatch person and the dispatch person would then have passed the information on to him.

Although the Port Pub has a licensed capacity of 125, there were only 30 to 35 patrons present on the evening of March 11/12, 2016. The manager stated that this was a busier than normal night for the establishment. Three staff were present at the time the RCMP entered the establishment: the manager, the server and the cook. The cook had finished his shift and had left earlier in the evening but later returned as a patron to enjoy the karaoke.

According to the testimony of the manager and the cook, a male entered the Port Pub with his ex-girlfriend who was celebrating her birthday with a group of friends. The manager stated the male was there for about an hour, had consumed perhaps two drinks and then began acting strangely and became belligerent. The manager surmised the male might have become jealous of his ex-girlfriend dancing with someone else. The manager asked him to leave the Port Pub about five different times. The male would leave and then re-enter and again begin acting in a weird manner. When the cook returned to the Port Pub, off shift, the manager asked him to ensure the male left the establishment and to stand at the door to make sure he did not return. The cook stood by the door but somehow the male was able to sneak into the pub behind other patrons. He became very aggressive with the cook and tackled him so they both ended on the floor. At this point, the manager became concerned for the safety of the cook and the other patrons and decided to call the RCMP to ask for assistance.

Almost immediately after the manager made the call to the RCMP, the male left the Port Pub and disappeared down the street. The RCMP were unable to locate him when they arrived at the Port Pub and never did locate him. As a result of responding to this call for assistance from the manager, the RCMP encountered several individuals who they alleged were intoxicated. These encounters resulted in the RCMP issuing a licensed premises check (Exhibit 1, tab 11) and later the liquor inspector issuing a contravention notice (Exhibit 1, tab 2).

The two Intoxication Incidents

Because I have reached different conclusions on the two separate incidents relating to the allegation of section 43(2)(b), I describe the evidence and make findings of fact on each of the incidents.

Male Patron 1

The RCMP officer described what he encountered on his arrival at the Port Pub. He spoke briefly with the manager at the door about the aggressive male who was no longer there. He then observed a male ("male patron 1") with two females exiting the Port Pub. The three of them walked a short ways up the road away from the entrance

to the Port Pub. Male patron 1 stopped and proceeded to urinate against a wall in full view of the two RCMP officers. The RCMP officer told him to stop but he proceeded urinating as the office escorted him to the police vehicle.

The RCMP officer arrested male patron 1 and took him to the police station where he was lodged in the cells and released in the morning without charges. The RCMP officer described him as barely able to stand, slurred speech, with a heavy odour of liquor. Male patron 1 was showing all the signs of being heavily intoxicated, according to the evidence of the RCMP officer. When the RCMP released male patron 1 in the morning, he told the RCMP he had been drinking in the Port Pub and was not intoxicated when he arrived there.

The manager stated that he knew male patron 1 from previous visits to the Port Pub. Male patron 1 often came to the Port Pub with his wife and daughter who enjoyed the karaoke. The manager did not observe any signs of intoxication while male patron 1 was in the pub. Male patron 1 was sitting quite close to the bar where the manager, who was bartending, had a good view of him. He estimated that male patron 1 consumed about three beer. He did not see any swaying or staggering. He stated that he had observed male patron 1 in an intoxicated state in another bar at another time so he knew what his behaviour was when intoxicated. He stated male patron 1 was not showing any of the signs of intoxication while he was in the pub. He was surprised when he heard of his behaviour outside the pub, i.e. urinating on the wall.

I find male patron 1 was outside the Port Pub when the RCMP Officer observed the signs of intoxication. I find that staff in the Port Pub did not observe any symptoms of intoxication while male patron 1 was inside the pub. I have given no weight to the statement made by male patron 1 in the morning as he was leaving the jail cells, with respect to where he had been drinking. The statement of male patron 1 is hearsay and was not subject to cross-examination.

Table of Four Males

Upon his arrival at the Port Pub, the RCMP officer noticed a group of four males who were exhibiting signs of intoxication. He was acquainted with one of the males ("male patron 2") in this group in his work capacity and knew his behaviour when not drinking. He therefore had a baseline on which to observe his behaviour that night. He observed that this individual was clearly intoxicated. Male patron 2 spoke with the RCMP officer; his speech was slow and slurred. He also had poor balance and his breath smelled heavily of liquor. The four males were outside the Port Pub when the RCMP arrived but then re-entered the pub after observing the incident with male patron 1. The RCMP officer returned to the pub and noticed male patron 2 had a beer in front of him. He saw the other three males with him and stated, based on his experience, that the other three males were also intoxicated.

The RCMP officer did not observe any interaction between this group of four males and the staff. He stated that they were seated at a table not far from the bar.

The testimony of the manager and the server was a little vague on the service to these four males. The server stated that she would take an order from the tables and the manager would prepare and hand her the drinks. She also stated that some patrons would go to the bar directly. The server said that this happens regularly, with people going up to the bar and getting drinks there and not at her table. She could not remember how many drinks she served male patron 1. She could not remember the table with four males as described by the RCMP officer. She said that the manager would be able to track the service, both at the tables and at the bar, through the sales recorded at the bar. The licensee provided no evidence of the sales that night, either for the whole evening or for individual tables.

The manager admitted that he was not expecting the crowd they had that night and that he was busy preparing drinks and not able to observe the patrons as closely as he would have liked. He said this was probably the busiest night they had had since he became manager in January. The server was also very busy serving both drinks and food. The manager could not recall the group of four males described as intoxicated by the RCMP officer.

The RCMP officer testified about his experience with intoxicated individuals. Since he started working in Port Alberni in 2008, he had considerable dealings with individuals with substance abuse. He responded to about 600 to 700 calls a year and about 150 to 200 of these would be liquor or drug related. He was a trained operator for impaired driving and standard sobriety tests at the roadside. He had been involved in a lot of impaired driving investigations. When assessing individuals for intoxication, he looked for signs of general coordination, balance, slurred speech, level of focus, ability to carry on a conversation, bloodshot eyes and anything that might be considered out of the norm. He said that his conclusions resulted from the totality of what he was seeing, not just one symptom.

Based on the uncontroverted testimony of the RCMP officer and his level of experience with intoxicated persons, I find that the four males identified by the RCMP officer were exhibiting signs of intoxication, both inside and outside the Port Pub. The RCMP officer knew male patron 2 from his work and had a baseline on which to judge his level of intoxication. He spoke with male patron 2 when he arrived at the Port Pub. He later observed the four males re-enter the pub and sit down with beer at their table. He observed slow, slurred speech and poor balance in the group.

Evidence of Due Diligence

The licensee presented no documentary evidence. The licensee's witnesses testified about the management structure, policies, procedures, signage, training and hiring at the Port Pub.

Directing Mind Evidence

The general manager testified that the manager reported directly to the licensee. The manager stated that he and the licensee discussed the goals for the Port Pub, in that the licensee wanted a friendlier, more community-oriented atmosphere than had been the case under the previous ownership. The licensee and the owner carved out the general philosophy they wanted for the Port Pub. They met often near the beginning, but less so later on.

The manager was responsible for the hiring, training and supervision of the staff and for ensuring branch policies and regulations were followed. When asked if he set the policies, the manager replied that the branch sets the policies.

Policies, Procedures, Training, Hiring in the Port Pub

The manager testified that all staff have their Serving It Right certificates. The licensee did not submit any documentary evidence of these.

The Port Pub does not have a policy manual.

The manager testified that the signage in the Port Pub was the same signage that was there when the licensee bought the place. The licensee submitted no photos of the signage.

With respect to training, the manager stated he would sit down with new hires and review information in the Serving It Right manual. He stated he emphasized cautions about overservice and reminded staff to ask him to deal with a customer if a server had any issues with an intoxicated patron.

With respect to the server working on the night of March 11/12, 2016, the manager stated that she was very responsible and had worked in other pubs and restaurants before being hired at the Port Pub. He did not have to teach her much because of her experience. The server testified that she had only worked as a host prior to the Port Pub and that this was her first job as a server.

When the server was asked about any tests or practice sessions to review guidelines about service, etc. she responded that she did not have anything like this.

On the evening of March 11/12, 2016, the server stated that both she and the manager were serving male patron 1 and his wife and daughter. She said their table was close to the bar so he was able to ask for drinks directly from the manager at the bar as well as from her.

The manager testified that they had a logbook where he would record any incidents. The licensee did not submit any examples of logbook entries. The server testified that she did not record anything in a logbook or make notes of any incidents. When asked if she was encouraged to review the Serving It Right manual, or anything like the logbook, or any other manuals the Port Pub might have, including the Guide, she said she didn't think so. All she remembered was being asked to review the drinks menu.

The cook has recently taken over as manager of the Port Pub, with the manager continuing as bartender. The cook stated he has seen the signs and permits on the wall behind the bar and he is aware of some binders and manuals but he has not looked through them yet. He will do so now that he is taking over as manager.

SUBMISSIONS – BRANCH

The branch submitted that the RCMP officer provided sufficient evidence to make a finding of a contravention of section 43(2)(b).

On the defence of due diligence, the branch submitted that the evidence indicates the manager was the directing mind and was present on the evening of the contravention. Further, if the defence of due diligence is available, the branch submitted that there was insufficient evidence to show adequate training and monitoring of staff to provide a due diligence defence on the facts here.

SUBMISSIONS – LICENSEE

The licensee submitted that the contravention had not been proven and that the owner/licensee was the directing mind, not the manager. The licensee said that they do what they can to stay within the rules and regulations and that they train their staff to ensure contraventions do not occur.

REASONS AND DECISION

Contravention

Male Patron 1

The RCMP officer observed male patron 1 exhibiting signs of intoxication outside the pub. Male patron 1 continued to exhibit clear signs of intoxication as the RCMP escorted him to the vehicle and to the cells. I do not have sufficient evidence as to his signs of intoxication inside the Port Pub.

I therefore find that the staff did not permit male patron 1 to remain in a licensed establishment contrary to section 43(2)(b).

Table of Four Males

The RCMP Officer observed signs of intoxication in this group both inside and outside the Port Pub. He was familiar with male patron 2 and knew his behaviour when he was sober. He saw the four males including male patron 2 return to the pub and sit at a table with beer.

I therefore find that the licensee contravened section 43(2)(b), by permitting a person or persons to remain within the licensed establishment on March 11/12, 2016.

Due Diligence

The licensee is entitled to a defence if it can be shown that it was duly diligent in taking reasonable steps to prevent the contravention from occurring. The licensee must not only establish procedures to identify and deal with problems, it must ensure that those procedures are consistently acted upon and problems are dealt with.

The leading case is: *R v. Sault Ste. Marie* (1979) 2 SCR 1299, where at page 1331, Dickson, J. sets out the test of due diligence:

The due diligence which must be established is that of the accused alone. Where an employer is charged in respect of an act committed by an employee acting in the course of employment, the question will be whether the act took place without the accused's direction or approval, thus negating wilful involvement of the accused, and whether the accused exercised all reasonable care by establishing a proper system to prevent commission of the offence and by taking reasonable steps to ensure the effective operation of the system. The availability of the defence to a corporation will depend on whether such due diligence was taken by those who are the directing mind and will of the corporation, whose acts are therefore in law the acts of the corporation itself.

The BC Supreme Court, in *Beverly Corners Liquor Store Ltd. v. British Columbia (Liquor Control and Licensing Branch)*, 2012 BCSC 1851, considered and clarified the application of the defence of due diligence in the context of the sale of liquor to a minor contrary to the *Liquor Control and Licensing Act* (see paragraphs 41 to 44).

In these circumstances, the defence of due diligence is to be considered in two stages:

1. Whether the employee who made the sale was a directing mind of the licensee – if so, the defence of due diligence is not available and the inquiry stops there.
2. If the employee who made the sale was not a directing mind of the licensee (and there is no requirement that a “directing mind” must be on the premises when the sale is made), then the questions to be considered and answered are whether the licensee had:
 - a. implemented adequate training and other systems to prevent the contravention (the sale of liquor to minors); and,
 - b. taken reasonable steps to ensure the effective application of that education and the operation of those systems.

Applying this analysis to the finding of a contravention here, I first consider whether the manager is a directing mind and, if so, the defence of due diligence is not available. If my conclusion with respect to the directing mind is wrong, I consider the evidence as to whether or not the licensee has implemented adequate training and other systems, and whether the licensee has taken reasonable steps to ensure the effective application of its education and the operation of its systems.

Both of these issues are factual, and will depend on the evidence presented. The onus is on a licensee to establish on a balance of probabilities that it had exercised all reasonable care by establishing adequate training and other systems and ensuring effective application of them.

Directing Mind

I find that the manager was responsible for the hiring and training of the employees. The owner/licensee, the licensee, hired the manager while the manager hired the remaining staff. The general manager described himself as a counterpart to the manager and not as his boss. The manager testified that he was responsible for the implementation of the policies, which were branch policies and directions from the Serving it Right manual, the Act and its regulations.

The manager gave evidence about how he would review the guidelines about avoiding overservice and dealing with intoxicated persons. He instructed staff to ask him if he/she were uncomfortable with refusing service or removing an intoxicated person. The manager stated that he sat down initially with the owner, the licensee, and discussed the philosophy of the establishment and the two of them carved out the general philosophy to create a more community oriented pub.

The manager was present on the evening of March 11/12, 2016 and was serving drinks at the bar as well as accepting drink orders from the server and recording the sales of those drinks.

I find that the manager was the directing mind and therefore the defence of due diligence is not available.

Findings re. Due Diligence

If I am wrong on the conclusion that the manager was the directing mind, I turn to the evidence presented to support a defence of due diligence.

The manager, as noted, was responsible for the hiring and training of the staff. The manager checked to ensure his staff had their Serving It Right certificates and stated he sat down with them at the time of hiring to review the Serving It Right manual.

The server testified that she had not actually worked as a server prior to being hired. She stated that the manager spoke to her about overservice and other issues from the Serving It Right manual. She had no specific training shifts in which she was shadowed and no specific training period.

The licensee's witnesses referred to some policies on the wall but did not provide any photos or other evidence of what these were. The manager stated these policies on the wall were there when he started as manager. The manager stated they were guidelines from the branch or Serving It Right manual to serve as reminders to staff. The server stated she did not review the Serving It Right manual during her three months of work at the pub, nor did the manager or the owner suggest she do so. There was no evidence of any type of regular staff meetings. The manager stated he noted incidents/reminders in a logbook but did not provide any written evidence of this.

According to the server, staff did not record incidents in the logbook. She remembers that the manager recorded incidents but she could not remember reviewing the logbook herself. The server was aware of some paperwork behind the bar but did not review any of it. She was encouraged to review the drinks menu. The server testified that the manager discussed issues of overservice with her and how to refuse service and when to request help.

The general manager testified about his discussions with the owner about creating a policy manual. The general manager stated he has one for the Nanaimo pub that is now owned by the licensee and said they have their policies posted there. He agreed it would be a good idea to create one for the Port Pub. The general manager referred to

the use of secret shoppers to test staff saying he had asked some young friends to go in and act rudely to see how staff dealt with this. There was no evidence about this from the manager.

After the March 11/12, 2016 incident, the manager hired a bouncer to provide security at the door. The general manager and the manager discussed this and agreed this was necessary.

I find the evidence of the nature of the training offered to staff to be insufficient to support a defence of due diligence. I find that the server's lack of experience and training may have contributed to the contravention here. The manager appeared unaware of her lack of experience. The manager testified about verbal reminders he gave to staff about avoiding service to intoxicated patrons. He also testified about the logbook and recording of incidents. As I did not see any examples of this logbook nor did I hear evidence from the server that the logbook was used as an educational tool, I find that the logbook was not being used effectively for discussions with staff about any incidents recorded there. I further find that there was no evidence of policies created by the Port Pub nor any written reminders to staff about guidelines with respect to intoxication.

Although I have not found a contravention based on male patron 1, I have noted his level of intoxication outside the Port Pub. I find that the evidence from the server with respect to service to male patron 1 indicates a weakness in the implementation of the stated policies of the manager with respect to overservice. It was a busy night, from the manager's own admission. Both the manager and the server were serving drinks. This alone would make it difficult to monitor the amount of drinks being served to one table. I find that the manager was not ensuring the effective application of its stated policies with respect to overservice.

I find that the evidence of the licensee's systems and training is inadequate to support a defence of due diligence. As the defence is not available, my finding on the contravention of section 43(2)(b) stands.

PENALTY

Pursuant to section 20(2) of the Act, having found that the licensee has contravened the Act, the Regulations and/or the terms and conditions of the licence, I may do one or more of the following:

- Take no enforcement action
- Impose terms and conditions on the licence or rescind or amend existing terms and conditions
- Impose a monetary penalty on the licensee
- Suspend all or any part of the licence
- Cancel all or any part of the licence
- Order the licensee to transfer the licence

I am not bound to order the penalty proposed in the NOEA. However, if I find that either a licence suspension or a monetary penalty is warranted, I am bound to follow the minimums set out in Schedule 4 of the Regulation. I am not bound by the maximums and may impose higher penalties when it is in the public interest to do so.

The factors that I have considered in determining the appropriate penalty in this case include: whether there is a proven compliance history; a past history of warnings by the branch and/or the police; the seriousness of the contravention; the threat to the public safety; and the well-being of the community.

Licensees are obliged to comply with the legislation and the terms and conditions of their licences. Enforcement action is intended to both redress the licensee's non-compliance, and to encourage future compliance by way of deterrence.

I find a penalty is warranted on the facts of this incident. The branch considers contraventions of section 43 (2)(b) to be a serious public safety issue. Although I concluded there was insufficient evidence that the male who was found outside the Port Pub was exhibiting signs of intoxication inside the pub, the facts indicate that he was very intoxicated when the RCMP officer decided to arrest him for the night. I found a contravention based on the intoxication of at least one of the four males identified by

the RCMP officer. Intoxicated individuals can be a danger to themselves and to others. Licensees must ensure that they have sufficient staff on at any time to be able to assess their patrons and to act accordingly. I find that the shortage of staff and the unexpected crowd no doubt led to this contravention occurring. Penalties are intended as reminders to licensees to improve their systems and as a deterrent to other licensees.

I note that, since the contravention in March, the licensee has hired a bouncer to improve security at the Port Pub. I also have noted that the general manager referred to a policy manual he has at the Nanaimo pub and that they should have one for the Port Pub. I consider these initiatives to be important steps in helping prevent further contraventions. I encourage the licensee to consider the comments in this decision to further improve its policies and the implementation of its policies.

There is no record of a proven contravention of the same type for this licensee at this establishment within the preceding twelve months of this incident. Therefore, I find this to be a first contravention for the purposes of Schedule 4 and calculating a penalty. Item 11 in Schedule 4 provides a range of licence suspension penalties from four to seven days and/or a monetary penalty of \$5,000 to \$7,000. The branch recommended a monetary penalty of \$5,000 in the NOEA. As noted above in the introduction, the liquor inspector agreed on a four day suspension if the licensee prefers this to the monetary penalty. The licensee in its submission requested a four day suspension rather than a penalty if I were to impose a penalty.

ORDER

Pursuant to section 20(2) of the Act, I order a suspension of Liquor primary licence No. 301092 for a period of four days to commence at the close of business on Thursday November 3, 2016 and to continue each succeeding business day until the suspension is completed.

To ensure this order is effective, I direct that the liquor licence be held by the branch or the Port Alberni RCMP detachment from the close of business on Thursday, November 3, 2016 until the licensee has demonstrated to the branch's satisfaction that the suspension has been served.

Signs satisfactory to the general manager notifying the public that the licence is suspended will be placed in a prominent location in the establishment by a branch inspector or a police officer, and must remain in place during the period of suspension.

Original signed by

Nerys Poole
General Manager's Delegate

Date: September 30, 2016

cc: Liquor Control and Licensing Branch, Victoria Office
Attn: Stephen Hitchcock, Regional Manager

Liquor Control and Licensing Branch, Victoria Office
Attn: Hugh Trenchard, Branch Advocate