



Liquor and Cannabis Regulation Branch  
 400-645 Tye Road, Victoria, BC V9A 6X5  
 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8  
 Phone: 1 866 209-2111 Fax: 250-952-7066  
 Email: Liquor.Licensing@gov.bc.ca

# APPLICATION FOR RECONSIDERATION FORM (CANNABIS)

Liquor and Cannabis Regulation Branch Form LCRB136

## INSTRUCTIONS:

Complete all applicable fields then submit with payment as outlined in Part 7 of this application form. You may complete this form online, then print. If you have any questions about this application, call the Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111.

## Part 1: Applicant Information

Applicant for reconsideration:

Applicant can be a licensee or a former licensee

Full legal name of individual, corporation or other entity against whom the compliance order was made

Licence Number:

Address for Service:      
Street City Province Postal Code

E-mail:  Tel:

Order [Under Section 38(10) of the *Cannabis Control and Licensing Act (CCLA)*] for which reconsideration is sought:

Case No. (see order):

The applicant must submit their reconsideration application no more than 30 days after the applicant received the order for which reconsideration is sought [see section 41 of the Cannabis Licensing Regulation (CLR) for rules regarding how to determine when an order was received].

## Part 2: Request for Extension of Time

To be completed only if more than 30 days have passed since the applicant received the order for which reconsideration is sought. Identify below the special circumstance that prevented the applicant from meeting the deadline and why an injustice would result if an extension was not granted.

**Note:** The general manager has the authority to deny the extension of time request.

## Part 3: Prescribed Grounds for Reconsideration

As specified in section 40(3) and (4) of the CCLA and section 33 of the CLR, there are three prescribed grounds for reconsideration of an order made under section 38 of the CCLA.

Check all that apply:

- Failure to observe the rules of procedural fairness
- An error of law other than an error of law respecting a constitutional question within the meaning of the *Administrative Tribunals Act*
- There is new evidence that is substantial and material to the reconsideration and was not discovered or discoverable at the time of the original hearing

**Note:** Reconsideration is not an opportunity to re-argue the case. These are the only reasons that a decision may be reconsidered.

---

**Part 4: Applicant's Submission**

Please provide a detailed written submission which clearly indicates the way in which one or more of the prescribed grounds is/are applicable. If there is not enough room in the space provided below you may attach the written submission to your application.

**Note:** Be thorough in your argument as reconsideration of the order is generally based on your written submission and supporting evidence only. The general manager (or his or her delegate) may, at his or her discretion, hold an oral hearing; however, you should not anticipate that an oral hearing will be held.

## Part 5: Fee Payment

The reconsideration application fee is \$500.00 and is refundable only if the compliance order is rescinded.

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ) one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds (NSF), a \$30 fee will be charged. If your cheque is NSF and the application fee is not paid in full before the 30 day deadline, your application may be terminated)
- Money order, payable to Minister of Finance
- Credit card:  VISA  MasterCard  AMEX
- I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
- I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

## Part 6: Signature

Under sections 47(2) and 109(1)(d) of the *Cannabis Control and Licensing Act*, it is an offence for a licensee to provide information or a record to the general manager that contains false or misleading information or fails to disclose a material fact. As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Name:  Position:   
( last / first / middle ) (if not an individual)

Signature: \_\_\_\_\_ Date:   
Authorized signatory of the licensee (Year/Month/Day)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

## Part 7: What Happens Next

1. Application reviewed for completeness/timeliness (applicant form, fee, date received).
2. The general manager (or his or her delegate) may issue stay the actions specified in the compliance order
3. The general manager (or his or her delegate) will determine whether the application satisfied the requirements of section 40(5) of the CCLA. If it does not, the application cannot be accepted.
4. The applicant will receive written notice of whether the application was accepted or rejected.

If the application is accepted, then the following will happen:

5. If the general manager (or his or her delegate) determines that an oral hearing is required, the applicant will be notified of the hearing date, time and location.
6. The general manager (or his or her delegate) will, in accordance with section 40(10) of the CCLA, confirm, vary or rescind the order, and will prepare a reconsideration order that meets the requirements of section 40(11) of the CCLA.
7. The applicant will receive a copy of the reconsideration order.

**Note:** The applicant's complete application package must contain this application form with responses in all the applicable fields, all the required documentation and the full fee.

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a), (b), and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of non-medical cannabis retail licensing and compliance and enforcement matters in accordance with the *Cannabis Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

## Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:  Expiry date:  /   
(Month) (Year)

Signature: \_\_\_\_\_