

# Agent Terms and Conditions



September 2019



# Update Summary

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September 2019	<b>Providing Safe and Responsible Service</b> <a href="#">Serving It Right™: B.C.'s Responsible Beverage Service Program</a>	4
February 2019	<b>Sponsoring Event</b> <a href="#">Donated Liquor</a>  <a href="#">Liquor Removal</a>	10  11
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# Agent Licence Terms and Conditions

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# Introduction

The purpose of the agent licence is to promote and market liquor products produced by manufacturers outside British Columbia.

This handbook outlines the requirements of the *Liquor Control and Licensing Act*, Regulation and terms and conditions that relate to liquor agents/importers. It also imposes further terms and conditions. It is the responsibility of the licensee to be aware of and 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 and Cannabis Regulation Branch.

Throughout this handbook, the term "general manager" refers to the general manager of the Liquor and Cannabis Regulation Branch, who is the authorized decision-making power regarding liquor licensing in British Columbia.

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

## Contact Information

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

**Mailing address**

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

**Office address**

400 – 645 Tyee  
Victoria, BC V9A 6X5

**Email**

[LCRBLiquorPolicy@gov.bc.ca](mailto:LCRBLiquorPolicy@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](http://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 and Cannabis Regulation Branch

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.

Revised September 2019 ( The course packages, exams, and certificate numbers can be found online at [www.responsible-service-bc.ca](http://www.responsible-service-bc.ca).

# Your Business

## The Agent Licence

The agent licence permits you to be hired or contracted by a liquor manufacturer outside B.C. to promote and market their products within B.C. All products you have been authorized to promote must be registered with the Liquor Distribution Branch. You must hold valid letters of authorization from all of the manufacturers you represent.

**Note:** Prior to 2017, B.C. manufacturers were required to have a separate agent licence, as were those who represented B.C. manufacturers within B.C. This is no longer the case. Licensed B.C. manufacturers may now solicit and take orders for their own products under their basic manufacturing licence. They may also hire representatives to do this. If a licensed manufacturer also wants to promote products from outside B.C., they must have a separate agent licence.

### Your primary role is to promote and market products

Marketing is the process by which the products you represent move from manufacturer to the customer via a promotional strategy. Although you may have a website that promotes brands you represent, you must not sell liquor.

You may hire employees as marketing representatives. You are responsible for making sure they follow B.C.'s liquor laws and the terms and conditions of the agent licence. Agents are also responsible for providing identification to their employees/representatives to verify them as representatives.

### Agents can never sell to the public

All purchase transactions must go through the Liquor Distribution Branch. You may only solicit and receive orders for products you represent from:

- Liquor primary establishments (bars/pubs/nightclubs, as well as stadiums, theatres and other venues)
- Restaurants
- Licensed caterers
- Licensee retail stores, wine stores and special wine stores
- Government liquor stores and rural agency stores

You also cannot import liquor products and deliver them directly to licensees. In some circumstances, agents representing foreign manufacturers may own product upon entry into the province, solely for purposes of selling to the Liquor Distribution Branch. Please contact the Liquor Distribution Branch for details (LDB wholesale website link <https://wholesale.bcldb.com/resources>).

## Storing Product Prior to Delivery

If you are allowed to pick up non-distilled product, such as domestic beer or wine, from a manufacturer and deliver it to licensees, you are expected to make the delivery in as timely a fashion as possible. Your home/office/driveway (if you park a delivery truck) cannot become a place where liquor is stockpiled. However, if you have an arrangement whereby you store liquor, the liquor must be stored in a bonded warehouse approved by the Liquor Distribution Branch. Please contact the Liquor Distribution Branch for details.

# Managing Your Business

## Renewing Your Licence

The annual renewal fee is \$200. Your licence expires on March 31 each year. If you have any questions about the renewal process, please contact the Branch well in advance of your licence expiry date.

**Please note:** The licence renewal fee must be paid each year, regardless of any other applications that may be in progress at the time (for example, transfer of ownership).

## 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. This form is available on our website.

## Minors

It is against the law to provide liquor to a minor (anyone under the age of 19). If you or an employee allows a minor to obtain liquor, your licensing privileges could be jeopardized and you risk prosecution. You cannot direct any promotional activities or materials to minors, nor may you employ minors to provide liquor at promotional events.

## Identification (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

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
- Photo BC Services Card
- Citizenship card
- First Nations status card
- Federal Firearms Possession and Acquisition licence

Note that the BC Driver's Licence and Services Card, which combines the BC 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
- Must include 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
- National Defence ID

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2019

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.

## Changes to Your Licence

The details of your liquor licence application were the basis for granting your licence. You must make the Branch aware of any changes that alter the material facts in the information you have provided to 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.

<b>Type of Change</b>	<b>How to Report</b>	<b>When Approval Required</b>
Permanent Change to Liquor Licence: <ul style="list-style-type: none"> <li>• Business or licence name change</li> <li>• Request for change in terms and conditions</li> </ul>	Application	Before permanent change to liquor licence occurs
Permanent Change to Licensee: <ul style="list-style-type: none"> <li>• Change of directors or officers (corporation, society)</li> <li>• Name change of licensee</li> <li>• Addition of receiver or trustee</li> <li>• Addition of executor or administrator</li> </ul>	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"> <li>• Internal transfer of shares*</li> <li>• External transfer of shares</li> <li>• Amalgamation of corporate licensee, holding company or subsidiary</li> </ul>	Application	Within 10 days of share transfers or changes
Tied house association with another licence, other than 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
Convictions (applicable to any individual licensee, or partner, shareholder, director, or officer of the licensee) <ul style="list-style-type: none"> <li>• Criminal Code offence</li> <li>• Alcohol-related offence under Motor Vehicle Act or similar legislation elsewhere (in or outside of Canada)</li> </ul>	Letter	Within 10 days of conviction and confirmation at renewal
Court action involving disposition of liquor licence	Letter	Within 10 days of notice received

**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.

## 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 are licensing contraventions. You must allow the general manager (or a designated person such as a liquor inspector) to inspect all documents and records associated with your business upon request.

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 product sales, invoices, purchase and disposal records;
- b. any agreements or contracts between you and another licensee;
- c. records of court orders and judgments against you respecting the sale of liquor; and
- d. employee records including names, addresses, salaries, primary job responsibilities, shift schedules and dates of employment.

# Advertising Products

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*.

## What You May Advertise

You may advertise the products you represent, as long as the products are registered with the Liquor Distribution Branch and their labelling and packaging has been approved.

Your ads may inform the public of the price the manufacturer sells their product and where the products may be found; for example, at a particular bar or restaurant. You cannot, however, advertise a bar or restaurant's entertainment lineup, drink specials or menu items.

You are liable for all advertising – including merchandise – that bears your legal entity name or brand, whether it is approved by you or by someone else on your behalf, no matter where it is displayed or distributed.

## Take-Home Sampling Events

You may hand out sealed product samples from the manufacturer you represent in public for home consumption. When you wish to run a take-home sampling event you must obtain approval from the Branch by submitting your event plan to [lclb.lclb@gov.bc.ca](mailto:lclb.lclb@gov.bc.ca), although no special provincial licence or permit is required to run such an event. Provincial law does not prohibit adults carrying unopened liquor in a public place and there is no requirement that the unopened liquor be taken directly home by the person receiving it.

In addition, the event organizer should contact the municipality, regional district or First Nation with jurisdiction over the area in which they wish to run their sampling event. Local governments have their own bylaws, community standard practices and may wish to allow, modify, restrict or limit such events.

Take-home sampling should not be confused with public tastings, which is where the public consumes liquor at an event. For rules on public tastings, see “Promotions at Establishments”.

The following terms and conditions apply to take-home sampling events:

- The maximum liquid volume of take-home samples are one standard sized beer, cider or cooler bottle or can (typically either 355 or 341 ml), single serving wine bottle (typically 200 ml) or a small spirits bottle (typically 50 ml).
- Any person providing sample to the public must be Serving It Right certified. Samples must not be given to an intoxicated person or a person showing signs of intoxication.
- During take-home sampling events the liquor must not be opened by either those handing out samples or those receiving a sample. The samples must not be cooled and must only be handed out one per adult.
- You must stamp the hand of each adult receiving a take-home sample to prevent them from attempting to return for additional samples.
- Those receiving samples must be told that the sample is for home consumption.
- A sticker or similar device over the cap must be included on each sample, printed with a phrase indicating it must be consumed at home. For example “Please enjoy responsibly at home” or “Chill and enjoy later at home”.

# Sponsoring Events

## Where Sponsorships Are Permitted

You may sponsor events that are not in establishments by providing signage, banners, marketing materials and/or funds.

You may also sponsor sports and cultural events, activities and organizations on behalf of a manufacturer you represent at licensed:

- Sports stadiums
- Recreational centres (including ski hills, racquet clubs and bowling alleys)
- Concert halls
- University or cultural centres

All liquor sold or served at these events must be purchased under the licensee's licence from the Liquor Distribution Branch. These events must be time limited and must not be part of an ongoing relationship between a manufacturer you represent and the establishment.

## Requirements

You must keep a record of all sponsorship events and activities, including the terms of any agreements related to the sponsorship, for at least two years.

You cannot offer liquor as a prize to participants of a sponsored event. If liquor is being served onsite during the event, you cannot demand that only your products be served. You may advertise the sponsored event or activity at establishments. If the event is at an establishment, you may name the establishment in your advertising.

## Sponsoring an Event Held Under a Special Event Permit

You may sponsor any event held under a special event permit.

You or the host organization may advertise the event by using your corporate brand name (or the brand name of the manufacturer that you represent) and state that you are sponsoring the event, but you must not state that liquor will be available at the event.

You cannot sponsor an event, activity or organization where the participants or audience are primarily minors.

## Donated Liquor

A liquor manufacturer or agent may donate liquor to an event if the permittee is a non-profit organization or non-profit corporation and the purpose of the event is to raise funds for a charitable purpose. Family events and businesses may not receive donated liquor.

Agents and manufacturers may be eligible to purchase liquor from the LDB at the wholesale price if donating the liquor for a charitable event, or tasting event organized by an industry organization that is not available to the general public. Most types of manufacturers may purchase the liquor for donation from their on-site store. Further information is available from the LDB wholesale website at: <https://wholesale.bcldb.com/resources/vendors>.

You must keep records of charitable donations, including:

- The name of the special event permit holder
- The charitable purpose that received the proceeds
- Location and date of the charitable event
- Number of people attending the event
- Amount of liquor donated

## Liquor Removal

If a permitted event or industry tasting event is longer than one day, liquor may be stored onsite to use the following days, as long as the storage is secure (no unauthorized access or illegal consumption).

You are not required to return liquor left over after the event. However, any leftover liquor, whether it has been opened or not, cannot be resold, used for another event, or used under a different licence or permit except as noted below:

Liquor donated by a liquor manufacturer or agent as outlined above may be removed from the event by the agent or manufacturer to donate to another charitable special event or industry-only tasting event, that is approved by the LDB for the donation of liquor purchased at the wholesale price. The following conditions also apply:

- The agent or manufacturer provides both the original permittee and any subsequent permittee with records demonstrating the liquor was purchased through LDB-approved processes, has purchase invoices from the LDB or their manufacturer's on-site store and these documents are available for inspection at the event.

# Conducting Market Research

## General Conditions

You may conduct market research, such as surveys and taste tests, as long as:

- All participants are of legal drinking age (an exception may be made for a survey related to a non-liquor topic, such as responsible-use messaging)
- You do not display liquor brand or corporate advertising at the site of the research, unless a piece of advertising is the subject of the research

## Surveys

You may survey members of a target group about the products you represent, as long as the survey takes place in a market research office, hotel, meeting room or other location closed to the general public. The one exception to this is that if the survey is limited to a one-on-one question and answer format, it may be conducted by telephone, or in either a private or public area, such as a shopping mall, or on the street.

You may compensate the respondents for participating in the survey. This may include liquor given as a gift, such as a bottle of the product featured in the survey.

## Taste Tests

You may conduct taste tests of both existing products and products not yet available in this province, as long as:

- You and/or a staff member conduct the tests
- It is your responsibility to make sure patrons do not become intoxicated while participating in a taste test.
- The research takes place in a market research office, hotel, meeting room or other location closed to the general public

# Promoting the Products you Represent with Licensees

There are strict rules regarding how you can promote products you represent with other licensees.

## Activities Not Permitted

On behalf of a manufacturer you cannot, at any time:

- Offer or give any kind of reward or discount to licensees who carry the products you represent.
- Provide any items, products or services to licensees that are necessary to the operation of their business. This includes financial assistance as well as fixtures, furnishings or permanent display structures. You also cannot rent rooms from another licensee (at a hotel or resort unoccupied for the licensee to rent again).
- Pay any portion of a licensee's advertising costs or advertise a licensee's entertainment lineup, drink specials or menu items. With the licensee's permission, you can include the licensee's logo in your ads, but you cannot demand or receive financial compensation or other consideration in return.
- Provide or pay for entertainment in an establishment.

## Tied Houses

A tied house is an association between a liquor retailer or on-premises consumption establishment and a liquor manufacturer or agent that is likely to lead to that manufacturer's or agent's products being favoured.

A tied house relationship exists where:

1. You have any amount of ownership interest in a liquor retailer or on-premises consumption establishment (for example, a shareholder in your company also holds shares in a business that has a licensee retail store licence); OR
2. Your proposed third-party operator has any amount of ownership interest in a retail or on-premises consumption establishment; OR
3. You have an immediate family member with any amount of ownership interest in a retail or on-premises consumption establishment 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 and you are prohibited from selling your products in that establishment.

## Activities Permitted

### Promotional items

You may **give** promotional items of nominal value, such as coasters, tent cards and posters, to bars, pubs and restaurants to promote the products you represent, as long as:

- You do not deliver them (or permit them to be delivered) to anyone under age 19
- The establishment already carries the brand of liquor in the promotional materials

You may also give promotional items of nominal value to licensee retail stores, wine stores, special wine stores, government liquor stores and rural agency stores for a specific promotion. These materials must be returned to you at the end of the promotion.

You may **sell** branded clothing and novelties (shirts, caps, key chains, etc.) to licensees at fair market value, which they may then re-sell to their customers and staff. These items may also display the name or brand of the licensee's establishment. You may also sell branded glassware to licensees at fair market value.

You may loan more expensive promotional items with your name or brand, such as signs, patio umbrellas, mirrors, menu boards, etc., to bars, pubs, restaurants and licensee retail stores. You may also provide bars, pubs, restaurants and licensee retail stores with temporary display structures and related promotional displays or items. (These displays and items remain your property.)

### Value-added Promotional Items

You may offer a licensee retail store, wine store, special wine store, BC Liquor Store, rural agency store and licenced grocery store (retailers) value-added promotional items subject to the following:

#### Liquor value-added promotional item

- Liquor promotional items are limited to five times/SKU/per calendar year and must not be the same product as the host product.
- The liquor promotional item must be a product that is registered to be sold in British Columbia
- The liquor promotional item, if an on-pack, must be attached to the host product that is being promoted prior to shipment to the retailer

On Pack Sizing	
On Pack	Host Product
≤50ml spirit	≥750 ml spirit
≤100ml spirit (2 x 50ml)	=1.75 liter spirit
≤200ml wine	=750ml or 1 litre or 1.14litre wine

#### Non-liquor value-added promotional item

- Non-liquor promotional items are limited to five times/SKU/per calendar year.
- The promotional item must be liquor-related or branded. Examples of acceptable items include a branded baseball cap, drink mix such as cola or tonic, a branded t-shirt, etc.
- Third-party coupons attached to a liquor product by a neck tag or back label, or placed inside a case are permitted. However, these coupons cannot be for a rebate or reduction on the purchase price of a liquor product, for a free liquor product of any kind, or for cash.

The value of both liquor and non-liquor promotional items must not be of a value greater than 25% of the wholesale price of the host product.

Exclusivity is not permitted, however value-added promotions may be used in a targeted campaign to specific retailers based on regional location, or other criteria that involves more than one retailer.

You are required to keep a record of the value-added promotions that you offer, and be able to produce it upon request by an inspector.

You and the retailer may advertise these promotions.

The stores may keep any leftover items at the end of the promotional period and may continue to offer them to their customers until they are gone. However, they cannot take any promotional items for personal use or future promotions.

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## Product Vouchers for Retail Stores

You may provide product vouchers directly to members of the general public, which they can redeem at participating retail stores at no charge. You cannot provide vouchers or coupons redeemable at bars, pubs or restaurants.

- You must have the store's approval before you hand out a voucher redeemable at that store. (You cannot, however, direct your vouchers to just one store or chain of stores; your vouchers must be redeemable at more than one store or chain of stores.)
- Your vouchers must specify how much liquor is redeemable (a bottle of spirits, for example, or a dozen bottles of cider).
- Only you (not the retail stores or other licensees) may distribute vouchers.
- You may use any method (in person, by mail, etc.) to distribute your vouchers.
- You cannot give away product vouchers as prizes.
- Once a voucher is redeemed, you must pay the retail store the full retail price for the quantity of liquor specified on the voucher. You cannot pay an additional "redemption fee" to the store for accepting a product voucher.
- You must maintain records of all voucher reimbursements paid to retail stores and have them available for viewing by a liquor inspector at any time.
- Vouchers are subject to the following size restrictions:
  - Wine: The smallest available size per product per vintage (not exceeding two litres)
  - Spirits: One bottle of the smallest available size per product (not exceeding 750ml)
  - Beer/cider/coolers: 12 of the smallest available bottles or cans (total not exceeding four litres)

## Product Samples for Licensed Establishments

You may give product samples to bars, pubs, restaurants, caterers and retail stores, to be consumed only by the licensee and staff (not patrons) away from the service area of the establishment. Product samples are subject to the same size restrictions as vouchers (see above). You must keep a record of all samples provided to establishments.

This record must include, for each sample, the:

- Name of person who received the sample
- Name of their establishment
- Amount of product supplied
- Date the product was supplied

## Promotions at Establishments

You may visit bars, pubs, restaurants, and retail stores to promote your products, but there are strict requirements you must follow.

You and a retail store may agree to host a consumer tasting together. All tastings must end 30 minutes before the store closes. In the event of a consumer tasting at a retail store, you must:

- Provide a server (or you may be the server) and ensure they are familiar with the rules
- Ensure the maximum sample sizes below

<b>Maximum quantities per patron at a consumer tasting:</b>	
	½ standard drink
Beer, cider or coolers	175ml
Wine	75ml
Spirits	20ml
This amount can be divided as the licensee chooses.	



- Ensure open containers are not left unattended
- Purchase all products to be tasted from the licensee hosting the event or other approved source at a previous tasting, for no less than what the store paid and no more than what the store normally charges customers
- Ensure no minors or intoxicated individuals are served liquor

You and the licensee may advertise the tasting within or outside the store using promotional materials supplied by you. The store cannot charge you a rental fee for demonstration space and must issue you (and you must retain) a countersigned receipt for the dollar value of sampled product.

At the end of the consumer tasting:

- You cannot receive a refund for unused product but you may remove it from the store to use at a future event
- You may receive a refund for unopened product

If you visit a restaurant, bar or pub to conduct tastings, theme nights or joint promotions, you must:

- Be present the entire time.
- Purchase all liquor products used at the event from the licensee at the hospitality price. The price you pay for the liquor served must be no less than the price the licensee normally pays for the product and no more than the price the licensee normally charges its customers.
- Not subsidize the price of the products in any way, such as paying the difference between the normal selling price of a product and a special price.
- Ensure sample sizes do not exceed the maximum quantity per person per day, which is half a standard drink (75ml wine, 175 ml beer, cider or coolers, 20 ml spirits), divided as you choose.
- If you are at a restaurant, ensure the event does not shift the focus away from food.
- Ensure open containers of liquor are not left unattended at any time.

The licensee must:

- Issue you (and you must retain) a countersigned receipt for the dollar value of the total amount of liquor and/or food purchased.
- Refund you for the cost of any unopened liquor, which they may then return to stock

### Other Conditions

You cannot charge or accept a fee from the licensee (or pay the licensee) for conducting the event. You may pay the establishment a gratuity, as long as it does not exceed 15% of the total amount of liquor and/or food purchases noted on the countersigned receipt issued by the licensee at the end of the event. You and/or the licensee may advertise the event outside the establishment if you wish.

If you are providing samples you must serve them. If the promotional event involves serving other drink sizes or other types of liquor, they must be served by the licensee's staff. Mass treating or "buying drinks for the house" is not allowed and you cannot leave money for this purpose.

You may, however, join customers at a table and buy a drink for everyone at that table, as long as:

- You buy the drinks from the licensed establishment.
- You pay for each order at the time it is served (you may put the order on a tab, as long as you settle the account before you leave the establishment) and drink prices are the same as the establishment would charge regular patrons at the time of the purchase.

- You do not treat more than one table at a time, except when the treat involves a bona fide organization, such as a sporting team, arts or cultural club.
- The licensed establishment issues you (and you retain) a countersigned receipt for the dollar value of the product you purchased.

If you are supporting a promotional event, such as a theme night, at a bar or pub you may also do the following:

- Provide clothing such as T-shirts or other novelty items identifying your liquor brand(s) or company, to be worn by the licensed establishment's staff
- Provide inexpensive forms of entertainment during the theme night, such as games and contests, that may include prizes as long as:
  - You record the name of anyone who wins a prize valued at over \$100
  - Prizes are not liquor
  - Patrons are not required to buy or drink an alcoholic beverage to participate
  - Licensees, their employees and their immediate family members are not eligible to enter or win a contest

### Educational Events and Activities

You may invite other licensees to educational events or activities designed to improve their knowledge of the products you represent or their ability to sell the products you represent.

You may pay for legitimate travel, meal, accommodation, and entertainment expenses associated with the educational event, up to \$1,500 per licensee location per year. Where a licensee has multiple licensed establishments – a chain of restaurants, for example – you may also pay expenses of \$1,500 per person to a maximum of \$4,500 per licensee head office per year.

### Hospitality

You may reimburse a licensee for costs not associated with an educational event (up to \$1,500 per licensee location per year) in addition to any in-province travel costs related to the event. You must keep a record of the reason for the reimbursement and the amount.

# Compliance & Enforcement

As a licensee, you are required to:

1. Comply with the Liquor Control and Licensing Act, its Regulations and the terms and conditions in this publication.
2. Upon request, provide inspectors with any documents and/or records as outlined in this handbook.
3. Never draw attention to inspectors either inside of a licensed establishment or at an event site. This can affect the inspectors' safety.

*Drawing the attention of patrons to the fact that inspectors, minor agents contracted to the branch, and/or police are present in your establishment may put the safety of the inspectors, minor agents contracted to the branch, and police at risk. Accordingly, your actions must not cause the attention or focus of patrons to shift towards inspectors, minor agents contracted to the branch, or police at any time; including at the time of entry, during an inspection, or when exiting your establishment. Actions such as announcing the arrival of inspectors, raising or flashing lights, turning down music, playing particular soundtracks (e.g. "Bad Boys" or "Hawaii Five O"), using spotlights, or any other similar actions are not permitted. You may not take, save or distribute photographs or video of inspectors or minor agents contracted to the branch in any manner (e.g. on a staff bulletin board, print media, social media or the internet).*

If your licence is suspended, you are not permitted to perform any of your marketing licence authorized activities.

For more information on Compliance & Enforcement, please visit our [website](#).

Other ministries also have terms and conditions that licensees and employees must follow. Please refer to [this page](#) on the LCRB website for more information.

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# Glossary

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

**“The Branch”** means the Liquor and Cannabis Regulation Branch, the government agency that administers the Act.

**“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 licensee representative or person in charge of a winery, brewery or distillery in the licensee's absence.

**“Licensee representative”** means an individual authorized by the licensee to interact with the Branch on the licensee's behalf.

**“Liquor manufacturer”** or **“manufacturer”** means a manufacturer of liquor products (i.e., wine, beer, spirits, cider and coolers).

**“Marketing representative”** means a person hired by a licensed agent or manufacturer to promote their products. Marketing representatives do not need to be registered with the Liquor and Cannabis Regulation Branch. Agents must provide their marketing representatives with identification to establish them as representatives, and must also ensure they understand and comply with provincial liquor laws.

**“Product voucher”** or **“voucher”** is a certificate issued by a manufacturer. A customer may take the voucher to a participating licensee retail store and exchange it, at no charge, for the quantity of liquor (a case of cider, for example) specified on the voucher.

