

Licensee Retail Store Terms and Conditions



August 2024



Update Summary

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Licensee Retail Store Terms and Conditions

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Introduction

The purpose of the licensee retail store licence is to sell all types of packaged liquor (beer, wine, coolers, cider and spirits) in a retail store for customers to purchase and consume away from the store.

This handbook outlines the requirements of the *Liquor Control and Licensing Act*, Regulations and terms and conditions that relate to owners of licensee retail stores. 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 laws 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 has legislative authority to make decisions 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-licence-permits/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 Tye
Victoria, BC V9A 6X5

E-mail
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

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 overservice.

Serving It Right must be completed by all licensees, managers (staff who supervise the sale or service of liquor) and sales staff (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.

The course packages, exams, and certificate numbers can be found online at www.responsible-servicebc.gov.bc.ca.

Display of Social Responsibility Materials

You are required to display at least one social responsibility poster or tent card. The materials will be mailed to you and must be displayed in a prominent location in your service area. Updated materials will be provided to you at regular intervals, free of charge. Additional copies are available from your local liquor inspector or on the website.

Controlling Your Store

You and your employees are responsible for controlling the behaviour of your customers. You must ensure that no one is harmed as a result of liquor misuse or criminal activity in your store. If your staff, customers or members of the community have reason to be concerned that there is a threat to their safety, you must act on these concerns.

If there is an imminent threat to people's safety, the general manager can suspend a liquor licence for 24 hours and order the immediate removal of customers. In this situation, you are required to take all reasonable steps to ensure that customers vacate the premises immediately.

In extraordinary circumstances, the general manager may suspend a licence or impose terms and conditions for up to 14 days without a hearing.

Preventing Disturbances

You must take reasonable measures to prevent disturbances. This means performing actions that are appropriate in the circumstances and within your capacity to do. Examples of reasonable measures include:

- Installing adequate lighting outside your establishment and in the parking lot
- Supervising your parking areas
- Posting signs asking your patrons not to disturb your neighbours

Minors

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2023

Minors (those under the age of 19) are allowed in a licensee retail store if accompanied by a parent, guardian, stepparent, grandparent, spouse of the minor or another adult who could reasonably be expected to act in place of a parent and be responsible for supervision of the minor. You may not employ minors to work in your store.

It is against the law to provide liquor to a minor. You and your staff must be proactive about meeting this objective. If you or an employee allows a minor to purchase liquor, your licensing privileges could be jeopardized and you risk prosecution.

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

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.

Intoxicated Patrons

You must not let a person who is intoxicated or exhibiting signs of intoxication enter or remain in your store. You must refuse the person service, have the person removed and ensure they depart safely.

You must write down all incidents of intoxicated patrons and the action you took in an incident log, and have the information available for the liquor inspector or police officers.

Additionally, please note that, with the exception of consumer tastings, you must not permit alcohol consumption in your store.

Disorderly or Riotous Conduct

You must not allow violent or disorderly conduct or unlawful activities to take place in your store. This includes behaviour that might cause a reasonable person to believe their safety is threatened. If you know or suspect that this kind of behaviour has taken place, is currently taking place, or may take place, you must notify police immediately.

An individual who has been asked to leave or has been barred from entering your store must not return for at least 24 hours. If they return within 24 hours, notify police; they are committing an offence and may be arrested.

Incident Log

When an incident occurs in or adjacent to an establishment or event site, the details must be recorded in an incident log. All incidents that adversely affect patrons, staff, people who live or work in adjacent buildings, or that affect the operation of the store must be recorded in the log and be available to inspectors or peace officers.

Examples of these incidents include:

- Refusing entry at the door to a potentially troublesome person or anyone who is causing a disturbance;
- Refusing entry of an intoxicated person;
- Removing an intoxicated person;
- An injury or accident on the premises, including a fight;
- Any incidents where emergency personnel were called (police, fire, or ambulance);
- Any illegal acts.

An incident report should include key details such as the date, time and description of events, the parties involved, any action taken, and any relevant sales records. Other details such as the names of the employees on shift and witness accounts are also important.

The records in an incident log must be kept for at least six years.

If a licensee or an employee becomes aware that a patron has brought unlawful liquor into the establishment or event, they must ask the patron to leave the establishment or event immediately. This must be reported in the incident log.

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Aug. 15,
2022

Your Liquor Licence

Availability of your Licence and Floor Plans

You must post your liquor licence in a prominent location in the service area of your store. Ensure it is immediately available for review by liquor inspectors and police. Your store's floor plans must also be immediately accessible, but they do not need to be posted.

Renewing Your Licence

You must renew your liquor licence before the licence expiry date each year and pay an annual licence fee. The fee is calculated based on the amount of liquor you purchased from the Liquor Distribution Branch (LDB), BCLIQUOR store, authorized manufacturers and other outlets designated by the LDB during the 12-month period ending six months before your licence expiry date. For more information, please visit the [LCRB website](#).

Purchases made from another licensed establishment (under the [Buying Liquor](#) section) are excluded from the renewal fee calculation.

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

Making Changes to Your Licence

The details of your liquor licence application were the basis for granting you the licence. You must advise the Branch of any changes that alter the original information you provided, or of a change in circumstance related to your licence.

Some changes require the Branch's prior approval, 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.

Many changes must be submitted online through the [Liquor and Cannabis Licensing Portal](#). For more information about how to submit applications and change requests through the portal, please visit the [LCRB website](#).

Below is a table of changes that require prior approval and those that require reporting either through the Liquor and Cannabis Licensing Portal or emailed to the LCRB. These are in addition to any items that are addressed elsewhere in this handbook.

Type of Change	How to Report	When Approval Is Required
Permanent or Temporary Change of Location	Online	Before relocation occurs
Structural Change*	Online	Before structural change occurs
Permanent Change to Liquor Licence: <ul style="list-style-type: none">Establishment/business or licence name changeRequest for change in terms and conditionsChange to hours of saleTemporary offsite sale endorsement	Online	Before permanent change to liquor licence occurs
Permanent Change to Licensee: <ul style="list-style-type: none">Change of directors or officers (corporation, society)	Online	Within 10 days of permanent change to licensee occurring

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<ul style="list-style-type: none"> Name change of licensee Addition of receiver or trustee Addition of executor or administrator 		
Temporary Change <ul style="list-style-type: none"> Hours 	Online	Before temporary change occurs
Third-Party Operator (add, change)	Online	Before third-party operator begins operating
Third-Party Operator (remove)	Online	Before third-party operator is removed
Transfer of Ownership (including sale of liquor business and its assets)	Online	Within 10 days of the sale
Share Transfers or Changes <ul style="list-style-type: none"> Internal transfer of shares ** External transfer of shares Amalgamation of corporate licensee, holding company or subsidiary 	Online	Within 10 days of share transfers or changes
Loss of Valid Interest <ul style="list-style-type: none"> Licensee no longer owns and runs establishment Licensee does not have certificate of title or lease for establishment location 	Letter	Within 10 days of loss of interest
Tied House Association with 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
Tied House Exemption (add/remove)	Application	At any time where a tied house has been identified
Convictions (applicable to any individual licensee, or partner, shareholder, director, or officer of the licensee) <ul style="list-style-type: none"> Criminal Code offence Alcohol-related offence under Motor Vehicle Act or similar legislation elsewhere (in or outside of Canada) 	Letter	Within 10 days of conviction and confirmation at renewal
Court Action Involving Disposition of Liquor Licence	Letter	Within 10 days of notice received
Offsite storage of liquor (begin storing liquor offsite, change location of storage, or stop storing liquor offsite)	Form	Within 10 days
Dormancy***	Form	Within 10 days of dormancy occurring

Note: If there is enforcement action pending on your licence, change applications in progress will not be considered until it is concluded.

*Structural Change

If you are making changes to the current approved floor plan, other than cosmetic changes, a structural alteration application is required. Some examples are:

- Physical expansion
- A change in the position of access and exit points leading to or from a service area
- A change in the position of a wall, floor or ceiling surrounding a service area

You do not need approval for cosmetic changes such as flooring, countertops, painting.

**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.

***Dormancy

If you are planning to close your establishment for an extended period of time, for example for extensive renovations, you must report this closure to the Branch and you must also notify the Branch when you plan to restart regular operations (this notification requirement does not apply to seasonal closures).

If your establishment is dormant because of extensive renovations caused by a fire, flood or other event beyond your control you may apply for an extension to dormant status. If you cannot provide evidence of the incident and your efforts to rebuild, your licence will be cancelled after two years.

Selling Your Business

If you are selling your business to a new owner, you must initiate the transfer application in the [liquor and cannabis licensing portal](#) by submitting the proposed licensee's business name and email address.

If you are selling some or all the shares in your company, you must apply to make a permanent change to a licensee in the [liquor and cannabis licensing portal](#).

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 (such as the fact that a third party is using your licence, that shares have been transferred or that the lease on your property is about to run out, etc.) are licensing contraventions.

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 purchase records;

- b. liquor sales records, including quantity of liquor sold and prices charged;
- c. liquor disposal records;
- d. food sales records;
- e. sales records respecting other goods sold or services provided by the licensee in the establishment;
- f. contracts with other licensees;
- g. invoices and purchase receipts for all equipment and other inventory that is used in the operation of the establishment;
- h. management contracts and leases that are related to the establishment;
- i. records of incidents, such as fights or other disturbances and accidents, that adversely affect patrons or staff, people who live or work in buildings adjacent to the establishment or event site and the operation of the establishment or event site;
- j. records of court orders and judgments against a licensee respecting the sale, service or manufacture of liquor; and
- k. employee records including names, addresses, salaries, primary job responsibilities, shift schedules and dates of employment.

A licensee must prepare and maintain a register of liquor purchased and received and must keep the register for a period of at least six years from the date each entry was made.

Your Store

Associations with Other Businesses

You may not be associated with another business, with the following exceptions.

You are permitted to be associated with another licensee retail store, a liquor primary, a licensed hotel (including an associated food primary) or an eligible grocery store (see next section for more details on grocery store eligibility).

A grocery store may be associated with a licensee retail store (LRS) if:

- the owner of the grocery store and the LRS are legally affiliated and are either the same legal entity or wholly-owned subsidiaries of the same legal entity, regardless of where the LRS is located; or
- the LRS is located within the grocery store, whether or not the two businesses are commonly owned.

If an association is permitted, you may use a common name and other visual identifiers of the associated business, and you may engage in joint advertising and promotions with the associated business.

Associations with any business that is not a liquor primary, licensee retail store, a licensed hotel (including an associated food primary) or an eligible grocery store are prohibited and you may not:

- Use a name or other visual identifier of another business;
- Sell the trademarked or brand-name non-liquor products of another business unless those products are also available for wholesale purchase by other licensees;
- Jointly advertise with another business;
- Offer discounts in your store based on purchases in another business; or
- Operate a customer loyalty or gift card program in association with another business.

If you are associated with another business and you apply to relocate your business, transfer your licence, sell shares in your business, or change the layout or size of your store, the nature of that association may also be required to change.

Licensee Retail Stores Within a Grocery Store

This chapter focuses on LRS stores located within an eligible grocery store.

What is an Eligible Grocery Store?

For an LRS to be located within a grocery store, a grocery store must have a minimum of 10,000 square feet of space, including storage space, and must be primarily engaged in retailing all types and brands of food. Convenience stores and multipurpose stores are not eligible to host liquor sales.

To maintain eligibility, the grocery store's sales revenue from food and non-liquor beverages:

- must total at least 70% of non-liquor sales, and
- must total at least 50% of all sales, including liquor sales from a retailer located in the grocery store.

Licensees must provide annual proof that the sales revenue requirements have been met.

Licensee Retail Stores within Grocery Stores Requirements

There is a limit of one LRS within a grocery store and as with all other LRS permanent or temporary locations, a LRS located within a grocery store must not be within 1 km of another permanent LRS location, LRS hold location, BC Liquor Store or proposed location of another store.

LRS within grocery stores must be physically separated from the rest of the grocery store with controlled access and separate cash tills within the liquor store area. The same shopping cart may move from the grocery store into the LRS and grocery merchandise can be paid for at LRS tills.

The entire perimeter of the licensed area must be identifiable and the majority of the perimeter of the licensed area must be bounded by a fixed and immovable barrier. For the portion of the perimeter that is not fixed and immovable, the barrier must be sufficient to:

- monitor and control entrance to the licensed area;
- prevent unaccompanied minors from accessing the area;
- secure the retail area when required (i.e. when operating hours for the liquor retail area do not align with grocery store hours); and
- identify the main entrance (including what is considered to be the front door) to the licensed area.

Permanently Relocating Your Licensee Retail Store

You may apply to permanently relocate your store anywhere within the province, provided the new location is not within 1 km of another permanent LRS location, LRS hold location (i.e., the original location of an LRS that a licensee operating in a temporary location will return to), a BC liquor store or a proposed location of another store. The 1 km distance is measured from the front door of the new LRS location to the front door of the other store, as the crow flies.

If an application for a permanent relocation does not comply with the 1 km rule, the general manager may approve the application if any of the following circumstances apply:

- If the new LRS location has the same parcel identifier number as the current location;
- If the proposed LRS location is not closer to any other store (permanent or hold location, a BC Liquor Store or proposed location) than the current LRS location;
- If a body of water results in the distance between the new LRS location being less than 1 km 'as the crow flies' but more than 1 km by road from any other store (permanent or hold location, a BC Liquor Store or proposed location);
- If the relocation is necessary because the LRS is substantially damaged by fire, flood or other event beyond the licensee's control.

Temporarily Relocating Your Licensee Retail Store

You may be eligible for a temporary relocation if you must cease operating your LRS as a result of significant alterations to your establishment or establishment site and you intend to return to your location when the alterations are completed. You can apply to temporarily relocate anywhere within the province, provided the temporary LRS location is not within 1 km of another permanent LRS location, LRS hold location (i.e., the original location of an LRS that that a licensee operating in a temporary location will return to), a BC Liquor Store or proposed location of another store. The 1 km distance is measured from the front door of the temporary LRS location to the front door of the other store, as the crow flies.

If an application for a temporary relocation does not comply with the 1 km rule, the general manager may approve the application if any of the following circumstances apply:

- If the distance between the licensee's retail store and the proposed temporary LRS location is 250 m or less; or
- If the proposed temporary LRS location is not closer to any other store (permanent or hold location, a BC Liquor Store or proposed location) than the LRS hold location;

- If a body of water results in the distance between the temporary LRS location being less than 1 km 'as the crow flies' but more than 1 km by road from any other store (permanent or hold location, a BC Liquor Store or proposed location).

Upon approval of a temporary relocation application, a licensee may operate at the temporary LRS location for up to five years (or a maximum of four annual licence renewals at the temporary location). A licensee may apply for an extension at the temporary location, subject to the following:

- No prior extensions have been granted.
- Upon application, the general manager may grant no more than a two- year extension to operate in the temporary LRS location if extenuating circumstances have prevented the completion of alterations that required the temporary relocation.
- A request for extension is submitted no later than 180 days prior to the expiry of the initial five- year period to prevent any business disruption.

A licensee's hold location will be protected from other LRS and liquor stores encroaching within 1 km for a maximum of five years, or, if an extension is granted, seven years. A licensee's hold location is no longer protected if the licensee's licence is not renewed or is cancelled by the general manager for any reason, or if the licensee fails to maintain a right or interest in their hold location.

Temporary locations will not be protected by the 1 km distance requirement if another LRS is looking to permanently relocate nearby.

Returning to your hold location or submitting a permanent relocation application

At least 180 days prior to the expiry date at the temporary location, the licensee must apply for an amendment to the LRS licence to:

- return to the licensee's hold location
- make the temporary LRS location a permanent LRS location (subject to 1 km distance requirements)
- relocate to a new location (also subject to 1 km distance requirements)

If the licensee has not submitted an application within the required timeframe but meets the valid interest requirements in the licensee's hold location, the general manager will amend the licensee's licence to reflect the licensee's hold location, generally effective immediately after the expiry date at the temporary location. This means that all operations must cease at the temporary location at the end of day on the expiry date.

If the licensee has not submitted an application within the required timeframe above but does not meet the valid interest requirements in the licensee's hold location, or the licensee's application is not approved, the general manager cancels, suspends or orders the transfer of the licence to a person who is at arm's length from the licensee.

If the licensee's hold location is inoperable as of the effective date of the licence amendment, the licence will be entered into dormancy. The licensee may be subject to additional requirements prior to operating the LRS at the licensee's hold location. For example, if there have been any changes made to the floor plan of the licensee's hold location from the effective date of the licence amendment and the date the licensee would like to start operating from the hold location, a structural change application will need to be submitted and approved prior to the licensee operating the establishment.

Relocating within a Grocery Store

For a liquor store to be temporarily or permanently relocated within a grocery store, the grocery store must have a minimum of 10,000 square feet of space (including storage space), and must be primarily engaged in retailing various types and brands of food.

Liquor stores within grocery stores must be physically separated from the rest of the grocery store with controlled access and separate tills within the liquor store area. The entire perimeter of the licensed area must be identifiable and the majority of the perimeter must be bounded by a fixed and immovable barrier.

For the portion of the perimeter that is not fixed and immovable, the barrier must be sufficient to monitor and control entrance to the licensed area, secure the licensed area when operating hours for the liquor store do not align with grocery store hours, and ensure the main entrance to the licensed area is identifiable.

You can apply to relocate your business through the [online licensing portal](#).

Where an LRS is currently adjacent to a grocery store, a structural change application may be all that is required to relocate into a grocery store (i.e. a change to put a door in an adjoining wall). The general manager will require confirmation that the proposed location complies with local zoning bylaws.

Drive-throughs

Some older licensee retail stores are set up for drive-through sales. While these stores are allowed to continue operating their drive-throughs, no new drive-throughs are permitted. Should these stores relocate, the drive-through privilege will be revoked.

Buying Liquor

You may only purchase liquor as a licensee for the purpose of selling and/or serving it under your licence.

You must purchase your liquor from:

- The Liquor Distribution Branch (LDB),
- A BCLIQUOR store,
- An outlet designated in writing by the general manager,
- A manufacturer authorized by the LDB, or
- As authorized in the terms and conditions below.

It is a serious contravention to buy liquor from an unauthorized source or to purchase liquor that is not recorded against your licence number.

The terms and conditions authorize the following:

- 1.) You may purchase or sell no more than a combined total of \$10,000 (e.g., purchase \$6,000 and sell \$4,000) worth of liquor each year from another licensee retail store (e.g., an LRS cannot sell liquor to a Liquor Primary) held by a different licensee/legal entity, and
- 2.) You may purchase or sell no more than a combined total of \$100,000 (e.g., purchase \$60,000 and sell \$40,000) worth of liquor each year from or to another licensee retail store (e.g., an LRS cannot sell liquor to a Liquor Primary) licence that you hold under the same legal entity.

All liquor purchases must be recorded in your liquor register. Liquor purchased from or sold to another licence must be recorded separately from all other liquor purchases, either in a separate section of the register or in a separate register.

The liquor register must, at a minimum, include the quantity, brand and type (SKU #) of each liquor product, its wholesale value, date of purchase or sale and both licence numbers (even if the same licensee/legal entity holds both licences).

Storing Liquor

Your liquor stock must be stored at your establishment or at an offsite storage area if you have notified the Branch of the offsite storage location. Offsite storage areas must be located in British Columbia and may not be located in a residence. You must advise the Branch if an offsite storage area is no longer being used.

If you store liquor for more than one licence in a common liquor storage area, the liquor that was purchased or manufactured under each licence must be clearly identifiable.

You must keep a list of storage areas with the liquor licence and produce it upon request by a liquor inspector or police.

Unlawful or Private Liquor

You may not buy, keep, sell or give unlawful liquor to anyone. Unlawful liquor is defined as:

- Liquor obtained from an unauthorized source
- Liquor not purchased under your licence
- Stolen liquor or smuggled liquor
- Liquor intended for export
- Homemade or UBrew/UVin (Ferment-on-Premises) liquor
- Liquor purchased as a medicinal, confectionery or culinary product that is being used as beverage alcohol
- Liquor that has been adulterated
- Samples left behind by a manufacturer or an agent

You are accountable for any unlawful liquor found anywhere on your premises. Private liquor owned by you or an employee, including liquor you received as a gift, cannot be kept in your store or liquor storage area.

If you recently purchased your establishment and acquired your licence through a transfer, you must conduct a thorough audit of all liquor on the premises to ensure none is unlawful.

Liquor Register

A liquor register is a record of all your purchases (i.e., receipts and invoices) for your liquor inventory, including any liquor purchased from or sold to another licensee retail store. You must keep a liquor register and it must be available for inspection at all times. Liquor registers may be hardcopy or digital.

A liquor inspector or police officer may look at your register and compare it to your stock to make sure you have purchased your liquor lawfully.

If an inspector is unable to verify that the liquor on your premises was purchased legitimately, the liquor may be seized. It is therefore in your best interest to ensure your records are kept in a legible, orderly fashion so that an inspector can easily match your stock to your records.

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You must also be able to account for any liquor that was lost due to spoilage and breakage. This can be done by either keeping a written record in a log book or by making a notation on the original receipt or invoice.

Best practices for keeping a liquor register:

- Keep all your receipts and invoices for liquor purchases in chronological order and separate from receipts and invoices for non-liquor purchases.
- Photocopy or scan receipts printed on thermal paper to protect the record from fading over time.
- Maintain a separate log book to record any liquor lost due to spoilage and breakage.

Selling Liquor

You are restricted to selling liquor to retail customers. In addition to products you regularly stock, you may accept special orders from customers.

Who You Can Sell To

You are restricted to selling liquor to retail customers, another licensee retail store and special event permit holders. You cannot sell liquor to licensed establishments, such as restaurants or bars.

Hours of Sale

You may sell liquor at your store between the hours of 7 a.m. and 11 p.m., or as indicated on your licence. Note that local governments or First Nations for the area in which your store is located may further restrict operating hours.

Customers may not enter your store after 11 p.m.

If you have customers in your store at 11 p.m. who have not yet purchased liquor, you must encourage these patrons to make their purchases within as short a time as reasonably possible. Consider having a strategy in place to serve lingering customers as quickly as possible.

Pricing

You must not sell liquor at a price lower than **either** of the following prices:

- 1) The price you paid to purchase the liquor
- 2) The price set out in the table below

Liquor Category	Minimum Price Per Litre (not including all sales taxes)
Wine	\$6.44
Spirits	\$27.88
Liqueurs	\$20.39
Packaged Beer (bottles and tins)	\$3.19
Draught Beer (kegs 18L or greater)	\$1.97
Cider and Coolers	\$3.75

An interactive Excel spreadsheet is available on our website allowing you to enter different product sizes to determine the minimum price. Follow the link here: http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/policy-directives/16-04_minimum_price_calculator.xlsx

You may adjust your prices at any time throughout the day, but the price must never go below the minimum price as outlined above.

Promoting Cannabis

It is the responsibility of all licensees and permittees to be aware of and comply with all federal and provincial laws in respect of the promotion and advertising of cannabis, cannabis accessories and services related to cannabis.

The federal Cannabis Act has strict rules in respect of the promotion of cannabis, cannabis accessories and services related to cannabis. In particular, the Cannabis Act restricts the types of promotions that are permitted in a place where young persons may be or are permitted.

Further, the Cannabis Control and Licensing Act regulates who is authorized to promote cannabis for the purpose of selling it. Persons authorized to promote cannabis for the purpose of selling cannabis under the Act include persons who hold a marketing licence or a retail store licence under that Act.

Loyalty Programs

You may offer reward, loyalty or other incentive programs to regular customers. These programs may be structured as points systems, a progressive scale of discounts, the awarding of gifts at predetermined purchasing thresholds, etc.

You must ensure that the value of any loyalty points earned from liquor purchases do not amount to a discount that would reduce the retail price of the liquor below the minimum price. For example, you purchase a bottle of wine from the Liquor Distribution Branch for \$7. Your loyalty program stipulates that 100 points = \$1. If you sell the bottle of wine for \$8, then you cannot offer more than 100 points for the purchase of this bottle of wine, because 100 points equals \$1 and means the customer effectively received the bottle for \$7.

Customers can redeem loyalty points to purchase liquor as long as the value of the loyalty points redeemed plus any money paid by the customer meets or exceeds the minimum price as defined above (i.e. is not lower than either the price the licensee paid to purchase the liquor or the minimum pricing specified in the table above).

Loyalty points can also be redeemed for gift cards that can be used towards purchasing liquor as long as the amount paid by the customer through the gift card meets or exceeds the minimum price as defined above.

Liquor Sales Location (including online sales)

All of your business activities related directly or indirectly to the sale of liquor must be conducted inside your store. The only exception is that you may advertise your business in accordance with the "Advertising Your Business" section of this handbook.

You may sell your products to the public from your store, your online store or from an online website that is clearly identified with your store. You may share a website with other licensees if the following conditions are met:

- The website design clearly indicates which store (including the location) the customer is ordering from;
- Each store manages its own sales; and
- Each store's licence number is posted in a prominent place on the website.

You may advertise on a website owned and operated by an unlicensed third-party, as long as the website serves as a "portal" with links that direct customers to either:

- Websites independently owned and operated by licensees where the sales are processed; or
- Space on the third-party website that is equivalent to a licensee's own website.

Space on a third-party website is considered to be equivalent to a licensee’s own website when the following conditions are met:

- The licensee’s store name, licence number and store address are displayed prominently on the page;
- The licensee has exclusive control over the product selection and the price being advertised;
- The product selection is reflective of the licensee’s in-store offerings; and
- Liquor orders made on the website are processed and prepared by the licensee.

You may only deliver products to customers from your store. The online store, whether on the licensee website or on a third-party platform, is considered an extension of the LRS, so deliveries cannot be made from a registered offsite secondary storage site. (See the “Delivery” section of this handbook for more information.)

You must not take liquor from your store for sampling or sale unless you have a temporary offsite sale endorsement (as outlined below). You may set up a display table or booth offsite to display advertising materials, which may include posters, leaflets or trade newsletters and similar items.

Consumer Tastings

You and one or two liquor manufacturers or agents may agree to conduct tastings of products that are available for sale in your store. If you have a manufacturer or agent providing the samples, they may bring in their own samples of products they make or sell and that are carried in your store for the tasting but must provide the samples free of charge.

You may have a maximum of two manufacturers or agents conducting consumer tastings in your store at any one time.

Maximum sample quantities per patron:	
Beer	175 ml
Wine	75 ml
Spirits	20 ml

½ standard drink

This amount can be divided as you choose. For example, if you present three kinds of wine, you may offer a maximum quantity of 25 ml of each wine to taste.

If you conduct the consumer tasting yourself, you may sell the samples.

- When a consumer tasting event will take place, and how long it will run, is up to you and the manufacturer or agent. However, all tasting must end 30 minutes before your store closes.
- You and the liquor manufacturer or agent may advertise the tasting within or outside the store, using promotional materials supplied by the liquor manufacturer or agent.
- You may not charge the manufacturer or agent a rental fee for demonstration space.
- All servers must be Serving It Right certified and familiar with the rules governing consumer tastings at liquor stores. Servers may not leave open containers unattended.
- A liquor dispensing system may be used to dispense liquor samples for patrons during consumer tastings. The dispensing system must only be activated by the licensee or the on-duty supervisor/manager.

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- Patrons must consume samples in your store; they may not take samples away to consume offsite. If the manufacturer or agent purchases liquor from you for the tasting, you must issue (and the liquor manufacturer or agent must retain) a countersigned receipt for the dollar value of sampled product.
- At the end of the consumer tasting conducted by a liquor manufacturer with an onsite store, the manufacturer may take away any unfinished bottles.
- You may serve food samples that complement a particular alcoholic beverage. You can install kitchen equipment to accommodate these events, and you may charge an attendance fee. However, neither the food ingredients nor the final product may be offered for sale, the focus of your business must not shift to that of a restaurant or food store, and you must obtain approval from the local Environmental Health Officer before installing kitchen equipment and serving food samples.

Delivery

Licensee retail stores may deliver liquor to customers using their own employees or a third-party service under the following terms and conditions:

- The liquor is delivered to a place where liquor can legally be possessed or consumed.
- Individuals the liquor is delivered to must be 19 years of age or older (for information on verifying age, see the “ID Requirements” section of this handbook).
- Individuals the liquor is delivered to are not intoxicated.

You must ensure that any individual delivering liquor on your behalf (e.g., employee or third-party delivery driver) is 19 years of age or older and is Serving It Right certified. This term and condition does not apply to common carriers (e.g., Canada Post, FedEx).

In addition:

- You may deliver products ordered online from your store, but you may not make deliveries directly from your offsite storage facility, if you have one.
- Your charge for the liquor must be your regular retail price of the liquor plus a separate delivery charge, if any. You must inform customers of both charges when they place an order.
- You may deliver no earlier than 9 a.m. and no later than one half hour after your store's closing time. Note that local governments or First Nations for the area may place further restrictions on delivery.
- You must keep delivery transaction records for at least six years. These must include the date, time and address of each delivery, the products purchased, the prices charged, delivery fees and total amount paid.
- You must not take orders for liquor or arrange for payment and delivery of liquor outside of your store.
- You or your staff must process and prepare the order to be delivered by you, your staff or a third-party delivery service.
- You are responsible for making sure that anyone delivering for you follows these terms and conditions, including a person working for a third-party service who is not your employee. As the licensee you will be held accountable for any contravention that takes place while liquor is delivered from your store.

Temporary Offsite Sale Endorsement

You may apply for an endorsement that enables you to sell your products at tasting-focused food and beverage festivals licensed under a special event permit. Once endorsed, you may accept invitations from special event permit holders to set up a temporary store at an event. You must notify the Branch prior to each event to obtain

an event-specific authorization to set up the temporary store. **This is the only circumstance under which you may sell liquor outside of your liquor store.** Eligible festivals must have a primary focus on tasting or introduction of liquor products and/or accompanying food (i.e. a wine festival licensed under a special event permit would qualify, whereas a music festival would not).

General terms and conditions of the authorization:

- The authorization is valid during the hours and days of the festival, subject to regular retail hours of 9 a.m. to 11 p.m. This means that even if a festival ends at midnight, a liquor vendor may not sell after 11 p.m.
- All sales at the temporary location must be recorded as sales from the permanent store.
- You are responsible for confirming with the special event permit holder that the local government/First Nation permits the sale of packaged liquor at the event.
- You must have a distinct sales area at the event and must post your authorization and a copy of your licence in a conspicuous location in that area during the event. All sales must be conducted within that area.
- Minors may be present in the sales area if they are permitted under the special event permit.
- The terms and conditions of the permanent store apply at the temporary store with regards to pricing, product limitations, promotions, staff training (Serving It Right certification) and age requirements.
- The products purchased at the temporary store are for consumption away from the event. No sampling is permitted.
- The general manager may place additional limits in the public interest.
- You cannot be the special event permit holder for the food and beverage festival.

Selling Non-liquor Products

In addition to liquor, you may sell B.C. lottery products, cigarettes and other tobacco products, packaged snacks such as chips and nuts, and liquor-related items, such as glasses, bottle openers and corkscrews. You may also sell clothing and novelty items featuring your establishment name and logo. However, your store must not resemble a convenience store and you may not stock other items, such as milk and newspapers. You may sell gift cards or certificates but only from your licensed premises. Gift cards must not be sold to minors and they cannot be used as prizes in contests unless the card or certificate is specifically meant for non-liquor items. It is unlawful in B.C. to give away liquor as a prize.

See "Relations with Liquor Manufacturers and Agents" and "Associations with Other Businesses" sections for additional information.

Games and Entertainment

Games and entertainment are not permitted in your store. You may hold contests, either on your own or with a liquor manufacturer, but you cannot offer liquor as a prize. See the section "Relations with Liquor Manufacturers and Agents" for more details.

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Advertising Your Business

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*. (Please see the Appendix for more on the broadcast code.)

What You May Advertise

You may advertise information about your store, including your name, location, hours of sale, non-liquor products you are permitted to sell, and liquor products you sell that have been approved for sale by the Liquor Distribution Branch (LDB), as well as their prices. You may not advertise liquor for free or at prices below the minimum price requirements. Your advertising may not depict packaging or labelling unless that labelling has been approved by LDB.

Signs

The name of your business and exterior signage must be approved by the Branch. All business names and signage must comply with the advertising terms and conditions and cannot mislead the public as to the class of liquor licence you hold. Your signs must also comply with local government bylaws.

Internet Group Discounts

Third-party companies offering internet group discounts are not licensed to sell liquor and may not legally include liquor as part of a joint promotion with your store. You may not participate in internet discount promotions that include liquor.

Relations with Liquor Manufacturers and Agents

There are strict rules that govern how you can work with liquor manufacturers and liquor agents to promote their products. Agents may hire employees to promote and market the manufacturer's liquor products that the agent is authorised to represent. The agent must also provide their employees with identification establishing them as the agent's marketing representative.

Activities Not Permitted: Inducements

The Act prohibits you from asking for or receiving benefits for selling a particular liquor product. You may not, for example, demand that a manufacturer or agent supply additional product at either no cost or at a reduced cost in return for purchasing their product.

You may accept information and ideas to help you improve your business, but this information must come directly from the manufacturer or agent, and not through an outside consultant. You may not accept advice about borrowing money or locating financing.

You are also prohibited from accepting any items, products or services from a manufacturer or agent that are necessary for the operation of your business. This includes financial assistance as well as fixtures, furnishings, or permanent display structures.

In addition:

- Manufacturers cannot buy shelf space, offer volume discounts, or offer discounted product in exchange for marketing benefits.
- You must always pay for your own advertising. A liquor manufacturer or agent may not pay any of your advertising costs (or vice versa), nor are you permitted to have a joint marketing plan. With permission from a manufacturer or agent, you can include the manufacturer's logo in your ads, but you cannot demand or receive any kind of compensation in return.
- You must carry and make available to consumers a representative selection of brands of liquor products from a variety of suppliers that are not associated with or connected with each other.

Activities Permitted with Approval: Tied houses

A tied house is a business that has an association (financial or otherwise) with a liquor manufacturer or its agent that is likely to lead to its products being favoured. A tied house relationship exists where:

- You have any amount of ownership interest in a manufacturer/agent licence (for example, a shareholder in your company also holds shares in a business that holds a winery licence); OR
- Your proposed third-party operator has any amount of ownership interest in a manufacturer/agent licence; OR
- You have an immediate family member (defined as a parent, spouse, sibling or child) with any amount of ownership interest in a manufacturer/agent licence.

If these circumstances exist, you are considered to be in a tied house relationship with a manufacturer and you are prohibited from carrying or selling that manufacturer's product in your store.

There are two circumstances under which this prohibition does not apply (commonly known as tied house exemptions):

1. If you are owned by a manufacturer and located at that manufacturer's site, you may carry and sell that manufacturer's product with no restrictions. In this case you aren't required to carry the products of any other manufacturer, but may do so if you choose.
2. If you are in a tied house relationship with a small or medium-volume manufacturer but are located elsewhere, you may apply to the Branch to allow you to carry and sell that manufacturer's products. The number of exemptions you may apply for is not restricted, but the manufacturer may only have ties with up to three offsite licensed establishments, and must agree to this arrangement during the application process.
If approved, you may sell that manufacturer's products but must also sell products from other manufacturers in that product category.

The inducement restrictions do not apply to a licensee and manufacturer in an approved tied house exemption.

Activities Permitted without Prior Approval

Promotional items

You may accept promotional items of nominal value, such as posters, from a liquor manufacturer or agent, as long as it does not appear that you are promoting a particular liquor product or the products of a particular manufacturer (brand-identified or corporately-identified items of a particular liquor manufacturer must not predominate).

You may buy clothing and novelties – such as shirts, caps, key chains, etc. – with the name or brand of a particular liquor or liquor manufacturer at fair market value, and re-sell them to your customers or employees. These items may display the name of your licensee retail store.

A liquor manufacturer or agent may loan you more expensive promotional items with the manufacturer's name or brand, such as signs or mirrors. The manufacturer may also loan you temporary display structures and related promotional items.

You may accept T-shirts, hats and other promotional clothing items with a manufacturer's name or brand on them to give away to your customers. You may not take any promotional items for personal use or future promotions, and you cannot sell them.

Manufacturer Branded Refrigerators

Manufacturers may provide you up to two 19 cubic feet brand-identified refrigerators, or a refrigerator that is larger than 19 cubic feet, not exceeding 38 cubic feet, that will be counted as two. You cannot have more than four manufacturer or agent provided refrigerators in your store.

In addition:

- Ownership of the refrigerator must be retained by the manufacturer; and
- The manufacturer cannot pay for the installation or maintenance costs of the refrigerator(s).

Value-added Promotional Items

You may accept value-added promotional items from a manufacturer/agent subject to the following:

Liquor promotional item

- The liquor on-pack must be affixed to the product prior to arrival at your store
- You must not sell the liquor on-pack as a separate item

Non-liquor promotional item

- Third-party coupons attached to a liquor product by a neck tag or back label, or placed inside a case, are permitted; however, such coupons cannot be redeemable for a rebate or a reduction on the purchase price of a liquor product, for a free liquor product of any kind, or for cash
- You must not sell the promotional item as a separate item

You may keep any leftover promotional items at the end of a promotion and continue to offer them to your customers until they are gone. However, you may not take any promotional items for personal use or future promotions.

Promotional items are not transferable. You may not transfer items to another licensee or to another establishment, even if you own it.

You and the manufacturer or agent may advertise these promotions.

Product Samples

As a way of introducing their products, a manufacturer or agent may give you product samples in order to introduce you as a licensee to their product. The amount you receive must not be more than one bottle of the smallest available size per product in any one year, and must not exceed these size limits:

- Distilled spirits: One bottle of the smallest available size per product (750 ml or greater)
- Wine: The smallest available size per product per vintage (not exceeding two litres)
- Beer, cider, coolers: One dozen of the smallest available size bottles or cans (total not exceeding four litres)

You must keep a record in your liquor register of all samples received, including the date, name of the manufacturer or agent, name of the product and volume of the product. You or your staff only, in a private place outside the licensed area, may consume this product. It is not intended for your patrons and must not be served to them.

Contests

If a liquor manufacturer or agent is running a contest in government liquor stores, they may also hold that same contest in your store for the same period and with the same promotional materials on display. Remember that you cannot offer liquor as a prize.

You may hold contests in conjunction with a liquor manufacturer or agent that are not running concurrently in government liquor stores, as long as the manufacturer/agent follows the Liquor Distribution Branch guidelines outlined in their booklet.

If you agree to hold a contest in your store, the liquor manufacturer or agent must conduct the contest, install all promotional items, and then remove all promotional items within 10 days after the contest has ended. The manufacturer/agent must also record the name of anyone who wins a prize valued at over \$100.

You may include contest entry forms in your print ads, and may mention where entry forms are available in any of your advertising.

Product Vouchers

You may enter into an agreement with a liquor manufacturer or agent to honour their product vouchers (i.e. certificates for a specific quantity of liquor that customers can redeem at participating licensee retail stores at no charge).

Only the manufacturer or agent may distribute vouchers. Once a voucher is redeemed, the liquor manufacturer or agent must pay you the full retail price for the quantity of liquor specified on the voucher. You may not ask for or receive an additional "redemption fee" for accepting a product voucher. Size limits for product vouchers are the same as those for product samples.

Sponsorships

Manufacturers and agents cannot sponsor events or activities at your liquor store.

You may sponsor events, activities, or organizations using your corporate name or the name of your licensed establishment. The sponsored event may be held offsite at an unlicensed venue or catered event. You may not sponsor minors' events, activities, and organizations.

Educational Events and Activities

You may attend educational events or activities, such as a "wine school," hosted by a liquor manufacturer or agent.

You may accept payment from the liquor manufacturer or agent for legitimate travel, meals, accommodation and entertainment expenses associated with the educational event, up to \$1,500 per licensee location per year.

If you have multiple licensed establishments – a chain of liquor stores, for example – you may also accept expenses of \$1,500 per person to a maximum of \$4,500 per head office per year.

Hospitality

A liquor manufacturer or agent may pay for your hospitality expenses not associated with an educational event at a rate of up to \$1,000 per licensee location per year.

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. Always allow Liquor and Cannabis Regulation Branch inspectors and/or police officers to enter your establishment. Never impede their entry in any way.
3. Upon request, provide inspectors with any documents and/or records as outlined in this handbook.
4. **Never draw attention to inspectors inside your establishment.** 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 sell, serve or permit consumption of liquor in your establishment.

For more information on Compliance and 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.

Glossary

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

“Agent” refers to a liquor manufacturer representing itself as an agent, a person hired by a liquor manufacturer to represent them as an agent, or a person who holds an agent’s licence who represents a manufacturer of liquor outside of British Columbia.

“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 manager, an authorized representative designated by the licensee, or person in charge of an establishment in the licensee’s absence.

“Licensee’s hold location” in relation to a licensee retail store licence that has been amended for the purpose of allowing a licensee retail store to be relocated to a temporary LRS location, means the original location of the licensee retail store before the licence was amended for that purpose. The term “licensee’s hold location” and “hold location” may be used interchangeably.

“Licensee retail store” means an establishment under a licensee retail store licence that is permitted to sell all types of packaged liquor.

“Liquor Store” means a store established under the *Liquor Distribution Act*. The term ‘liquor store’ and ‘BC Liquor Store(s)’ may be used interchangeably.

“LRS hold location” means the licensee’s hold location under any licensee retail store licence that (a) has been amended for the purpose of allowing the store to be relocated to a temporary LRS location, and (b) has not expired or been cancelled.

“LRS relocation licence” means a licence in the licensee retail store licence class that has been amended for the purpose of allowing the applicable licensee retail store to be relocated to a temporary LRS location.

“Manufacturer” means a manufacturer of liquor products (beer, wine, spirits, cider, coolers) or the corporate official of a liquor manufacturer.

“Permanent LRS licence” means the location of a licensee retail store that is not a temporary LRS location.

“Temporary LRS location” means, as the context requires, (a) the location specified in an application made by a licensee under a licensee retail store licence to amend the licence for the purpose of allowing the applicable licensee retail store to be relocated to that location on a temporary basis, or (b) the current location of a licensee retail store under a licensee retail store licence that was amended for the purpose of allowing the store to be relocated from its original location to its current location on a temporary basis. **“Third-party operator”** refers to an individual or corporation contracted by the licensee to operate the establishment on a day-to-day basis.

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