

# Liquor Primary Terms and Conditions



July 2018

# Update Summary

| Date        | Update Description (Click on blue link to jump to section)  | Updated Pages  |
|-------------|---|--|
| August 2017 | <p><b>Providing Safe and Responsible Service</b><br/> <a href="#">Minors</a></p> <p><b>Your Business</b><br/> <a href="#">Unlawful or Private Liquor</a></p> <p><a href="#">Liquor Register</a></p> <p><a href="#">Where Customers May Consume Liquor</a></p> <p><b>Catering Endorsements</b><br/> <a href="#">Requesting a Catering Authorization</a></p>  | <p>6</p> <p>16-17</p> <p>17</p> <p>20</p> <p>35-36</p>         |
| July 2017   | <p><b>Providing Safe and Responsible Service</b><br/> <a href="#">Serving It Right™: B.C.'s Responsible Beverage Service Program</a></p> <p><b>When Minors are Permitted</b><br/> <a href="#">Table: Where Minors Are Permitted</a></p> <p><b>Controlling Your Establishment</b><br/> <a href="#">Preventing Disturbances</a></p> <p><b>Selling Liquor</b><br/> <a href="#">Loyalty Programs</a></p> <p><b>Relations with Liquor Manufacturers and Agents</b><br/> <a href="#">Joint Promotions/Brewmasters</a></p> <p><b>Catering Endorsements</b><br/> <a href="#">Terms and Conditions that Apply to Your Catering Endorsement</a></p> | <p>6</p> <p>8-9</p> <p>10</p> <p>18</p> <p>31</p> <p>36-37</p> |

# Liquor Primary Licence Terms and Conditions

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# Introduction

The purpose of the liquor primary licence is to sell all types of liquor to patrons for onsite consumption.

This handbook outlines the requirements of the *Liquor Control and Licensing Act*, Regulations and terms and conditions that relate to owners of liquor primary establishments – primarily bars, pubs, and nightclubs, but also private clubs, theatres, stadiums and other venues. 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-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 Road  
Victoria, BC V9A 6X5

### Email

[LCLBLiquorPolicy@gov.bc.ca](mailto:LCLBLiquorPolicy@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 overservice.

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 |

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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.servingitright.com](http://www.servingitright.com), or by phoning 604-633-9798.

## 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 Liquor and Cannabis Regulation Branch's website.

## Minors

You must not allow minors (those under the age of 19) in your establishment unless your licence states they are permitted.

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As a means to minimize unlawful entry by minors, it is recommended that you post signage at the entrance to your establishment indicating that minors are not permitted. If your licence permits minors under specified conditions, the signage should clearly indicate the conditions.

It is against the law to provide liquor to a minor. You are expected to have effective house policies in place to meet this obligation. If you or an employee allow a minor to illegally enter your establishment or to purchase liquor, the Branch may take enforcement action against you 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

At least one piece of the ID must be a primary ID and it must:

- be issued by a government agency; and
- include the holder's name, date of birth and picture

Examples of primary ID include:

- State or provincial driver's licence
- Passport
- The Photo BC Services Card
- Citizenship card
- First Nations status card
- The federal Firearms Possession and Acquisition licence
- National Defence ID

Note that the B.C. Driver's Licence and Services Card, which combines the B.C. 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

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.

### Checking ID

You must provide an area in your establishment that is well lit and protected from entertainment noise so that staff can properly review patrons and their identification and ask appropriate questions to verify identity.

If your procedures are not effective, your local liquor inspector may direct you to install the appropriate lighting, signage, video cameras and noise barriers to ensure your staff can check identification properly. Licensees directed to install and operate video cameras may be required to provide the recording from those cameras for review by the Liquor and Cannabis Regulation Branch.

## When Minors are Permitted

Minors are not permitted in establishments when adult entertainment or gambling is occurring and may not enter casinos, commercial bingo halls and community gaming facilities.

Minors are permitted in your establishment if you are hosting an event where liquor service is not provided (see the **Your Business** section on page 16 for more information on liquor-free events).

## Where Minors Are Permitted

| Establishment Type   | Hours Restrictions | With Parent or Guardian | Other Requirements or Special Privileges Respecting Minors in Attendance  | Application Required       |
|--|--------------------|-------------------------|---|----------------------------|
| Liquor primary with Family Foodservice (FFS) term and condition    | Until 10 p.m.      | Yes                     | A selection of appetizers and main courses must be available. Signage must be posted notifying the public.  | Yes                        |
| Military mess  | None               | No                      | Minors permitted if a full member of the mess. If not, then minors are permitted if: <ul style="list-style-type: none"> <li>The mess is on a ship; or</li> <li>In a land-based mess, for an event sponsored by the military or a member of the mess</li> </ul>                                      | No                         |
| Stadium  | None               | No                      | In concourse or seating area but not in a lounge in the facility without an FFS. Permitted in a private suite/box   | No                         |
| Concert hall or live theatre                                       | None               | No                      | In lobby for any type of event or in theatre seating areas during live events only  | No                         |
| Movie theatre (single screen only)                                 | None               | No                      | In lobby only or in theatre seating areas that are not serving liquor   | No                         |
| Liquor primary at ski hill   | Until 10 p.m.      | Yes                     | No new approvals granted  | N/A                        |
| Curling, golf, bowling alley and other types recreational facility | Until 10 pm.       | No                      | Permitted in the lounge if the recreational facility is open for use. Permitted after 10 p.m. for a family-focused event in which the licensed area is not open to the public or for a banquet or awards ceremony. In a bowling alley, minors permitted after 10 p.m. in a licensed concourse area. | Yes, for entry into lounge |
| Train, aircraft or motor vessel                                    | None               | Yes in some instances   | On motor vessels a minor must be accompanied by a parent or guardian  | Yes for motor vessels      |
| Airport  | None               | Yes                     | In a liquor primary at an airport   | Yes                        |



| Establishment Type   | Hours Restrictions  | With Parent or Guardian | Other Requirements or Special Privileges Respecting Minors in Attendance  | Application Required               |
|--|---|-------------------------|---|------------------------------------|
| Club   | No  | Yes                     | For a special event as long as: <ul style="list-style-type: none"> <li>There is not another suitable area within the club;</li> <li>Minors are accompanied by a parent or legal guardian; and</li> <li>A sit-down meal is served</li> </ul> | Yes (temporary change application) |
| Legions  | None  | No                      | Permitted at any time when operating as unlicensed. Permitted for a licensed event on Remembrance Day only.   | No                                 |
| Convention centre  | None  | No                      | Permitted only at an event and if the event is not liquor-focused   | No                                 |
| Event-driven facilities (e.g. community halls) other than those listed above   | None  | No                      | Permitted only if the event is not liquor-focused   | No                                 |
| Any other type of business where the primary focus is not beverage service e.g. spas, art galleries, cooking schools | Generally permitted only during hours when the primary business is open | No                      | Certain types of businesses may not qualify   | No                                 |

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## Minors and Tobacco

If minors are permitted in your establishment and you sell tobacco products, you must comply with the tobacco law requirements during the hours when minors are present. Tobacco products, tobacco vending machines and tobacco advertising must be covered during hours when minors are present.

## Employment of Minors

If you have received permission to permit minors in your service area, you may employ minors as long as they are not employed to sell or serve liquor at any time. The only exception to this rule is that minors employed at stadiums may serve liquor but cannot open bottles, pour or mix liquor, and must be under the supervision of adult staff who are Serving It Right certified. Given the lack of supervision, minors may not be employed as hawkers in stadium seating areas.

For establishments that are part of a larger business, minors may be employed in those areas outside the establishment (for example, at a hotel reception desk).

If there is a time restriction on when minors may be in your establishment as patrons, then your employed minors may not work in your establishment outside those hours. The only exception to this is that minors employed before January 23, 2017 may continue to work in your establishment without a time restriction.

If you have a catering endorsement, minors may serve food or work as entertainers at events, but they cannot sell or serve liquor.

You may employ minors as entertainers but you must ensure that they are supervised by adult staff at all times. Whenever they are not entertaining, they may remain on your premises if you have permission to permit minors in your establishment. Otherwise, minors must leave the service areas.

Under no circumstances may a minor perform as an exotic dancer or in any other form of adult-oriented or sexually explicit entertainment. Minors may not be employed within your establishment during this form of entertainment.

## Controlling Your Establishment

### Your responsibilities

You and your employees are responsible for controlling the behaviour of patrons. You must ensure that no one is harmed as a result of liquor misuse or criminal activity in your establishment or at an event site, and you are required to take steps to ensure your business does not disturb the surrounding community.

Anyone providing door security at an establishment is required to be licensed under the Security Services Act. Please visit <http://www2.gov.bc.ca/gov/content/employment-business/business/security-services/security-industry-licensing> for more information.

An individual who has been asked to leave, or who has been barred from entering your service area, must not return for at least 24 hours. If a person does not comply, they are committing an offence and may be arrested.

If there is an imminent threat to people's safety, the general manager can suspend a liquor licence for 24 hours or suspend/cancel an authorization and order the immediate removal of patrons. In extraordinary circumstances, the general manager may suspend a licence or authorization or impose terms and conditions for up to 14 days without a hearing.

### Preventing disturbances

You must take reasonable measures to ensure your business does not operate contrary to the public interest and does not disturb people near your establishment or an event site (for example, noise). 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 patrons not to disturb your neighbours
- Adding sound proofing
- Making approved structural changes to allow indoor line-up areas

### Overcrowding

Your liquor licence tells you the maximum number of patrons or the maximum number of people, including staff, that you can have in your liquor primary establishment at one time (see the definitions of "patron capacity" and "person capacity" in the glossary).

It is important for you to know the capacity of your establishment and to make sure you stay within this limit. You must have controls at each entry point to your establishment and you must be able to count the number of people entering and leaving.

Local building/fire authorities also establish a maximum capacity or occupant load that may differ from your liquor licence maximum capacity. If fire and building officials have each calculated an occupant load for your establishment (or if an engineer or architect has) and the numbers are not the same, the lower number is the one you must use.

### Overservice and intoxicated patrons

It is your responsibility to make sure patrons do not become intoxicated while in your establishment or at an event site.

You must not let a person who appears to be intoxicated enter or remain in your service area. 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.

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## Disorderly or riotous conduct

You must not allow disorderly conduct or unlawful activities to take place in your establishment or at an event site. This includes behaviour that might cause a reasonable person to believe his or her 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 the police immediately.

## Weapons

A weapon is defined as anything used or intended for use:

- In causing death or injury to persons (whether designed for that purpose or not)
- In threatening or intimidating any person

You are responsible for making sure a person with a weapon does not enter or remain in your establishment or at an event site. If you know or suspect that one of your patrons has a weapon, you should notify the police immediately.

## Employee Conduct

### Liquor consumption

You and your employees, including your employees who provide entertainment, cannot consume liquor in your establishment or at an event site during working hours. This includes breaks, meal periods and between shifts on the same day.

After work, you and your employees may consume liquor in your service area, as long as:

- You do not offer liquor to employees in lieu of wages or as a bonus
- Your employees are of legal drinking age
- You are serving and consuming the liquor during the hours of sale indicated on the face of your licence
- You, as the licensee, are not treated differently than a regular patron

### Staff parties

You may hold a staff party in your establishment, as long as you are able to comply with the Regulations and the terms and conditions of your licence for the duration of the party. Staff, for example, cannot consume liquor while on duty. If you cannot meet these conditions, you must apply to the Branch for permission to hold a Special Event Permit at your establishment.

### Dress

Servers must wear clothes and must not combine the act of serving with stripping or exotic dancing. Servers must not wear prominent liquor brand-identified clothing, except as permitted during a promotion held by a manufacturer or agent when that person is in your establishment (See the "Relations with Manufactures, Agents and Sales Representatives" section).

# 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 establishment. Ensure it is immediately available for review by liquor inspectors and police. Your establishment'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 in the 12-month period ending six months before your licence expiry date. For more information, please visit the website (link).

**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 to a new owner, the new owner must apply to transfer the licence using the Transfer of Liquor Licence form.

## 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.

Below is a table of changes that need prior approval and those that require reporting. These are in addition to any items that are addressed elsewhere in this handbook.

| Type of Change  | How to Report | When Approval Required                           |
|---|---------------|--|
| Transfer of Location  | Application   | Before relocation occurs                         |
| Structural Change*  | Application   | Before structural change occurs                  |
| Permanent Change to Liquor Licence: <ul style="list-style-type: none"><li>• Establishment/business or licence name change</li><li>• Request for change in terms and conditions</li><li>• Change of hours of sale</li><li>• Change in business type (for example spa to nightclub)</li><li>• Primary business is closed</li><li>• Catering endorsement</li><li>• Family Foodservice</li><li>• Minors (recreation facility)</li><li>• Golf courses adding/changing service to playing area (LP Club) transition to regular LP</li><li>• Temporary Use Area (golf courses and ski hills only)</li><li>• Off-sales endorsement (subject to 30 km criteria)</li><li>• Change to liquor-free stadium seating area (stadiums only)</li></ul> | Application   | Before permanent change to liquor licence occurs |

| Type of Change   | How to Report  | When Approval Required                                   |
|--|--|--|
| 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 |
| Temporary Change <ul style="list-style-type: none"> <li>Hours</li> <li>Extension of service area</li> <li>Ability to hold a special event in the establishment</li> </ul>  | Application  | Before temporary change occurs                           |
| 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                               |
| 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             |
| Loss of Valid Interest <ul style="list-style-type: none"> <li>Licensee no longer owns and runs establishment</li> <li>Licensee does not have certificate of title or lease for establishment location</li> </ul>   | 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       |
| Court Action Involving Disposition of Liquor Licence   | Letter   | Within 10 days of notice received                        |
| 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 |
| 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

You must receive branch approval before you make any changes to your establishment's service area. Some examples are:

- A change in the position of a wall or partial height divider (pony wall) or fixed planters used as separation between/within a service area
- A change in the position of access and exit points leading to or from a service area

You do not need approval for cosmetic changes such as flooring, countertops, painting, re-configuring table and chairs, or changing the type of material used in the perimeter bounding of an outdoor patio. Go online to [http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo12a\\_lp\\_and\\_lpc\\_application\\_for\\_structural\\_change.pdf](http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo12a_lp_and_lpc_application_for_structural_change.pdf) for more information.

#### **\*\*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 transitioning 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 resume regular operations (this notification requirement does not apply to seasonal closures). All licences are permitted to be dormant for a period of two years. 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 dormancy status. If you cannot provide evidence of the incident or of your efforts to rebuild, your licence will be cancelled after two years.

**Note:** If an establishment has multiple service areas, the licence is only considered dormant if all areas are not operating.

## **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) are 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 Business

## Food and Non-Alcoholic Beverages

During liquor service, a reasonable variety of hot or cold snacks and non-alcoholic beverages must be available at reasonable prices within your service area. Food service in the range generally offered by a restaurant is not expected; however, packaged snacks such as chips, peanuts and those commonly found in vending machines do not meet the minimum food requirement for liquor primary establishments.

## Using Your Establishment for Liquor-free Events

You must notify the Branch at least 14 days in advance if you intend to hold a liquor-free event that will end between 8 p.m. and the closing time for liquor service stated on your licence, regardless of the event start time. Notifications must be submitted online via the OneStop Business Registry ([www.bcbusinessregistry.ca](http://www.bcbusinessregistry.ca)). There is no restriction on the number of liquor-free events. This requirement also applies to public third party events at liquor primary clubs. You may hold an event earlier in the day without notifying the Branch, as long as the event ends before 8 p.m. and you follow the same terms and conditions. These rules do not apply to event-driven facilities, such as community halls and convention centres, which only serve liquor during events and are otherwise used for non-liquor purposes.

The following terms and conditions apply:

- Minors are permitted unaccompanied by adults
- The event must not extend past the closing time for liquor service as stated on your licence

You must:

- Post signage outside the establishment to advertise a liquor-free event, the hours of the event and that the service area is closed to liquor service
- Ensure liquor is secured and inaccessible during the event
- Ensure there is half an hour between the end of liquor service and the opening of the liquor-free event
- Ensure there is half an hour to clear minors from the service area if you will re-open for liquor service before the end of the hours of liquor service, if your licence restricts the entry of minors
- Take measures to ensure the operation of the event does not disturb people in the vicinity of the establishment or jeopardize the safety of those attending the event
- Keep a log of all liquor-free events whether they require notice or not, and the log must be available upon request by a liquor inspector or local police

The general manager may, in the public interest, add terms and conditions to a licence that limit liquor-free events.

## Outside Licensed Hours

If you wish to use your service area for liquor-free events prior to your liquor service hours, minors are permitted and you do not need to apply for special permission, but you must:

- Make sure all liquor is secured and inaccessible during the event
- Ensure the event does not occur from the time of closing the previous evening until at least 6 a.m.
- Remain closed for half an hour after the event before you can re-open for regular business

Establishments that have applied for and hold a Family Foodservice term and condition are not required to close for half an hour after the event. However, unaccompanied minors cannot be in the establishment once it has transitioned to its licensed hours.

## Operating Your Establishment Within a Different Business

If your liquor primary licence operates within a different primary business, for example within a spa or retail store, your licence will state whether minors are permitted and under what circumstances. If you want to change or close the primary business, you must apply to the Branch and the Branch will review your licence terms and conditions to determine if they require amending.

## Holding an Event Using a Special Event Permit at Your Establishment

You must apply to the Branch if you want to hold an event at your establishment using a special event permit. You are limited to a maximum of six temporary changes to your licence per year. You may not sell or serve liquor purchased under your licence at the event.

If you have a liquor primary club licence, you do not need to apply for a special event permit if an organization or person is hosting the event at your establishment as the permittee. However, if the club hosts the special event and is the permittee, you will be required to apply to the Branch for a special event permit. You are limited to a maximum of six temporary changes to your licence per year.

## Buying Liquor

You must purchase your liquor from a Liquor Distribution Branch (LDB) liquor store or other outlet designated (in writing) by the general manager of the LDB. The LDB also authorizes many liquor manufacturers to make direct sales and deliveries to licensees on behalf of the LDB.

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

There are two exceptions to this requirement:

- If your establishment is located in a business that contains more than one licence held by the same person (for example, a hotel with a bar and restaurant), you may purchase under only one of these licences and sell the liquor in all of the establishments you own at that site. This is restricted to liquor primary, food primary and catering licences.
- You may occasionally transfer a small amount of liquor to another bar or restaurant to balance stock if products run out unexpectedly. You cannot transfer or receive more than \$10,000 worth of liquor each year in this manner. Both parties must keep records within the liquor register indicating the quantity, brand and type (sku #) of liquor transferred, its value, date of transfer and the licence numbers of both parties.

## Storing Liquor

You may store your liquor 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 in British Columbia and cannot be in a residence. You must advise the Branch if an offsite storage area is no longer being used by submitting an [Offsite Storage Notification form](#).

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 cannot 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 or smuggled liquor
- Liquor intended for export
- Home-manufactured or UBrew/UVin (Ferment-on-Premises) liquor (you may serve it at a residential event if you have a caterer endorsement)
- Liquor purchased as a medicinal, confectionery or culinary product that is being used as a beverage alcohol
- Liquor that has been adulterated, unless otherwise permitted below
- Samples that may have been left by a manufacturer or agent

You are accountable for any unlawful liquor found anywhere on your premises. It is not acceptable to say that unlawful liquor made its way into your stock by accident, that it was a gift for personal use, or that an employee left it there. Liquor intended for your personal consumption cannot be kept or served at your establishment.

Take the following steps to prevent having unlawful liquor on your premises:

- If you recently purchased your establishment, conduct a thorough audit of all liquor on the premises to ensure none is unlawful
- Put safeguards in place to make sure no one waters down or otherwise unlawfully adulterates your liquor supply (the extent of the safeguards required will vary depending on the circumstances)
- Keep cooking alcohol (and culinary products containing alcohol) in the kitchen and separate from liquor that is for sale

### Liquor Register

A liquor register is a record of all your purchases (i.e. receipts and invoices) for your liquor inventory, including any liquor transfers. 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.

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

### Hours of sale

You may sell or serve liquor only during the hours indicated on your licence.

On New Year's Eve, you may serve liquor at your establishment until 4 a.m. on January 1, regardless of your normal closing hour (as long as food is available to customers), unless local bylaws prohibit it.

On the night of a time change, you must operate according to the hours in effect at the start of the Saturday business day, and wait until after your liquor service hours have ended for that business day before you change your clocks.

### Drink prices

You may vary the price of liquor at any time during the day (for example, hold happy hours) as long as prices do not fall below the minimum pricing specified in the following table:

#### Minimum Drink Price Table

| Product Category  | Minimum Price per ounce (not including sales tax) | Price per drink: Examples of some common sizes (not including sales tax)   |
|---|---|--|
| Draught cider/beer (if serving is less than 50 oz or 1.42 litres)       | \$0.25 per oz (28.4 ml)                           | \$3 per 12 oz sleeve (341 ml)<br>\$5 per 20 oz pint (568 ml)   |
| Draught cider/beer (if serving size is 50 oz or 1.42 litres or greater) | \$0.20 per oz (28.4 ml)                           | \$12 per 60 oz jug (1.7L)  |
| Packaged beer, cider and coolers  | \$0.25 per oz (28.4 ml)                           | \$3 per 12 oz bottle (341 ml) or 355 ml can  |
| Wine/Fortified wine (including sake)                                    | \$0.60 per oz (28.4 ml)                           | \$3 per 5 oz glass (142 ml)<br>\$3.60 per 6 oz glass (170 ml)<br>\$5.40 per 9 oz glass (256 ml)<br>\$15.85 per 750 ml bottle (26 oz) |
| Liqueurs/Spirits  | \$3 per oz (28.4 ml)                              | \$3 per oz (28.4 ml)   |

Minimum pricing applies to all liquor sold and served in your establishment.

You may vary the price of liquor for certain groups (for example, a "team night" price reduction for players).

- You may occasionally treat your customers to a free alcoholic drink; however, you cannot give away multiple drinks that could lead to overconsumption. You may not provide free drinks as part of an ongoing business practice or offer complimentary free drinks if a patron reserves a VIP table or similar reservation. If you do offer VIP table reservations, they can be tied to an all-inclusive package that includes liquor in the purchase price, as long as:
  - The amount of liquor provided is specified and not unlimited, and separately itemized in the patron's bill (including the different sales tax for liquor); and
  - Is compliant with the maximum serving size restrictions per patron and all other liquor sales terms and conditions in this document.
- You may offer an all-inclusive package that includes liquor in the price (for example, "champagne brunch," Mother's Day special, New Year's Eve special) if you follow these same rules.

You must not provide unlimited or unspecified quantities of liquor for a single price or use a sales strategy that is likely to promote or encourage overconsumption. For example, you cannot:

- Sell drinks "two for one"
- Allow staff to circulate with trays of pre-mixed drinks, such as shooters that are not pre-ordered

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 price of the liquor below the minimum price.

### Price lists

You must have a list available showing

- The types of liquor you sell
- The size of each drink (in fluid ounces or millilitres)
- The price, specifying whether or not taxes are included and what the applicable taxes are, including any drink specials you are currently offering

You do not have to include a complete list of all available mixed drinks, as long as you clearly list the price and the amount of liquor (for example, "mixed drinks contain 1 oz of liquor, and cost 'x' for bar brands and 'y' for premium").

You may post the price list or have a copy at all tables. At minimum, it must be available on request.

## Serving Liquor

### Drink sizes

You must encourage moderate consumption at all times and not provide a customer with a single serving larger than the maximum serving sizes specified below.

### Distilled liquor:

- Single servings of no more than 3 fl oz (85 ml) per person at a time
- Drinks that two or more patrons intend to share may be served in pitchers or similar, but the maximum of 3 fl oz (85 ml) per person must be maintained
- You cannot sell or serve whole bottles of distilled liquor ("bottle service")

### Draught beer and cider:

- Single servings of no more than 24 oz (682 ml)
- Smaller servings of multiple brands, provided the total served at one time is no more than 24 oz (682 ml)
- Pitchers or other multiple serving containers, provided it is shared by two or more patrons and contains no more than 60 oz (1.7 litres)

### Bottled beer:

- Maximum two standard-sized or one large-sized (up to 24 oz or 682 ml) bottle of beer per patron at one time.

### Wine:

- Single servings of 10 oz (284 ml) or smaller servings of multiple brands provided the total served at one time is no more than 10 oz (284 ml)
- The standard 750 ml bottle, if it is to be consumed by at least two patrons with food
- Non-refillable containers of 0.75 litre to 1.5 litres, or in refillable containers of no more than 1.5 litres

The maximum single serving size can be divided into two or more different types of drinks, provided the total does not exceed two standard drinks. For example, you may serve a patron a 12 oz sleeve of beer and a 5 oz glass of wine (or alternately a 1.5 oz serving of spirits) at the same time. You may not serve a patron more than this amount even if the patron claims to be ordering for the entire table. For example, the order is made at the service bar.

## Dispensing Liquor and Mixing Drinks

You are permitted to pre-mix drinks by hand or using devices, such as a Bellini machine, in anticipation of patrons ordering drinks, as long as the liquor comes from the original containers purchased from the Liquor Distribution Branch.

You cannot refill original containers purchased from the Liquor Distribution Branch with anything. Doing so would make monitoring unlawful liquor difficult.

You are permitted to infuse liquor and age cocktails on the licensed premises, as long as it is done in a container other than the original container the liquor was in when it was legally purchased. In the case of infusion, you may infuse liquor with spices, herbs, fruits, vegetables, candy or other substances intended for human consumption. In the case of aging cocktails, licensees may prepare a cocktail with any substance intended for human consumption.

You must clearly label each container used for infusing or aging a cocktail with the following information:

- The date the infusion was prepared or the date the cocktail was placed in the container for aging;
- The type, brand and quantity of liquor used;
- The non-liquor ingredients used; and
- The name of the person who infused the cocktail or prepared the cocktail for aging

You must infuse and age cocktails at the establishment and you must not remove the liquor from the establishment.

Additionally, you are not permitted to:

- Circulate trays of pre-mixed or pre-poured drinks that have not been ordered
- Allow self-service of liquor by patrons
- Pour drinks into the mouths of customers

## Where Customers may Consume Liquor

You may only sell and serve liquor in the service area of your establishment (the red-lined or green-lined area on your floor plans). Customers cannot bring their own liquor into your establishment.

You cannot permit customers to consume liquor outside the service area, or to take liquor from the service area to other parts of your establishment, except:

- A patron may purchase a drink in one licensed establishment and take it into an adjoining establishment if the two establishments have the same licensee, and the patron does not have to pass through an unlicensed area. This includes situations where a liquor primary is located at a manufacturing site and there is an adjoining manufacturer endorsement area, such as a lounge.
- Patrons may take liquor into the washroom as long as they are not walking through an unlicensed area and the washrooms are supervised.
- Professional entertainers may consume liquor on stage as long as they do not become intoxicated. However, patrons are prohibited from consuming liquor on an unlicensed stage even when they are providing entertainment, such as during an amateur or karaoke night.

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It is recommended that you post signage informing your patrons of areas where they may not take their liquor.

Customers may take away unfinished bottles of wine. Your staff must reseal the bottle before permitting the patron to remove the wine.

## Clearing Patrons When Liquor Service Ends

Unless there is a term and condition on your licence allowing patrons to stay for more than a half hour after liquor service ends, all patrons must leave your service area within half an hour of liquor service ending. You must close your service area immediately after this time. You are prohibited from using your service area for any other purpose between your closing time (within half an hour after the end of liquor service) and 6 a.m.

This also applies if you have notified the Branch of a liquor-free event that has temporarily altered the terms and conditions of your licence.

## Gift Cards/Certificates

You may sell gift cards to be redeemed at your establishment or at another establishment (any of your licensed outlets or at places where you have an agreement to accept each other's gift cards).

You may use a gift certificate business to administer your card/certificate program.

# Special Rules

## Liquor Primary Club Licence

You must only sell liquor to members and their guests. Members of the public who are not guests of a club member are not permitted to enter or remain in a service area when liquor is sold or served but may attend events when liquor is not sold or served. Liquor primary club licensees also:

- Must not advertise to the general public
- Must keep a guest register (the name of the guest and member and the date of the visit) for any non-member who will be in a service area when liquor is sold or served. If minors are permitted in your establishment, they are not required to be signed into the guest register.
- May, if authorized by the general manager, permit members to store personal liquor they have purchased from the club in a locker at the club establishment. Members may consume this liquor in the licensed areas of the club.

If you would like to open to the public, you may apply to the Branch to transition your liquor primary club licence to a basic liquor primary. This is a permanent change to the licence that requires local government/First Nation approval. If you are approved, your special club conditions will be removed.

## Serving and Selling Liquor on a Golf Course

Golf courses with a liquor primary licence may apply for a structural change to licence the playing or practice area to allow them to serve liquor to patrons on the playing or practice area from a kiosk, take-out window, beverage cart or from the interior liquor primary service bar. One beverage cart is permitted for every nine holes on the course.

Golf courses with a liquor primary or food primary licence may permit a patron to take an unfinished drink from the service area if the patron takes the drink, using a direct route, to another service area on the golf course.

If you have a golf course with a liquor primary licence:

- You must post rules about the availability of liquor service on the playing area, at the interior service bar, beverage carts, kiosks and take-out windows before the first tee box and where patrons can see them
- You must post additional signs at the tee box one hole before a roadway crossing to notify golfers that they are not to consume (or carry in hand) any beverages containing alcohol while crossing public roads in a golf cart, since a golf cart is a motor vehicle.

## Hotel Special Privileges

Establishments owned by and located in hotels or motels or similar types of facilities providing overnight accommodation to registered guests may, without application:

- Permit a patron who is a registered guest to take an unfinished drink from the liquor primary service area back to their private room, as long as it is a direct route, and the guest may consume the beverage while walking to their room. This privilege may also be extended to people who are not registered guests but who accompany a registered guest to their room. The licensee may not permit a person to remove the liquor from the service area if the person is intoxicated.

- Remove liquor from the liquor primary service area for the sole purpose of using this liquor to provide overnight guests with a free alcoholic drink at the time of checking into the establishment. The drink must be provided at the registration desk or in the lobby and guests may consume the liquor there or take the drink to their room, as long as they follow a direct route. Guests may be provided with up to one standard- sized drink i.e. up to 375 ml of beer, 150 ml of wine or 45 ml of spirits. A person serving or supervising the service of free liquor must be Serving It Right certified.

In situations where the guest rooms are located in a building separate from the lobby, bar or restaurant but on the same property, patrons are permitted to carry their liquor back to their room, as long as they take a direct route that does not involve leaving the hotel's property.

Establishments located in hotels or motels or similar types of facilities providing overnight accommodation to registered guests may also, without application:

- Provide a minibar service in the guest rooms, as long as the minibars are locked and a key is given only to guests who are at least 19 years of age; and
- Provide liquor room service to registered guests in their rooms at all hours regardless of the liquor service hours on the liquor primary or food primary licence. Room service meals must also be available to guests any time liquor room service is provided.

## Serving and Selling Liquor in a Stadium

To serve or sell liquor in a stadium, you must:

- Have prior written permission from the organizers of the event
- Serve all liquor in disposable containers (this may include disposable/recyclable plastic bottles or aluminum cans, as long as they are opened before they are given to patrons)
- Have prior approval from the general manager if you want mobile liquor vendors (hawkers) in the stands (note that hawkers cannot sell shooters)
- Set aside a reasonable amount of the stadium's tiered seating where liquor is not allowed and have this seating reflected on your floor plans

## Stadium Suites and Boxes

If you have a stadium, you may apply for approval to permit pre-stocking of suites and boxes for self-service by the patrons using those facilities. If approved, the following terms and conditions apply to self-service in private suites and boxes:

- All liquor used in the suites/boxes must be purchased from you at prices at or above the minimum drink price (see the minimum drink price table on page 19)
- Glassware is permitted in the suite/box
- Patrons may serve themselves from the liquor supplied to the suite/box; staff may also serve patrons
- Liquor must not be taken from the suite/box to other parts of the stadium
- Minors may be present in the suite/box but if there are no adults present, the liquor must be secured in a locked cabinet
- No other form of entertainment is allowed; the suite/box is intended for viewing the entertainment at the stadium
- Suite/box renters may order liquor from the licensee and have it stored in a refrigerator or bar in the suite/box
- If the suite/box is for the exclusive use of one renter, liquor remaining at the end of the event may be stored in a locked cabinet in the suite/box for use at a different time; excess liquor must not be taken away from the stadium
- If the suite/box is not used exclusively by one renter, at the end of the event all remaining liquor must be returned to you
- You must regularly monitor suites/boxes to ensure compliance with liquor laws and the terms and conditions of the licence
- You must immediately remove or lock up all stocked liquor if patrons of the suite/box are overconsuming or if

minors are consuming liquor and, for the rest of that event, allow only regular liquor service for consumption in the suite/box.

You must ensure that you have access and control over all areas inside the stadium, including private suites/boxes. Where you allow locked storage cabinets in private suites/boxes, you must retain copies of the keys or access codes for every cabinet or storage area in the boxes, and you must provide the keys and access codes to liquor inspectors upon request.

## Stadium and Concert Hall Tied House Exemption

A liquor supplier and a liquor primary licensee with an establishment located at an eligible stadium or concert hall may enter into a financial arrangement that will result in the licensee favouring the purchase of that liquor supplier's product.

Eligible stadiums or concert halls must have the necessary facilities and be large enough to host provincial, national or international events (involving adults or professionals), be used primarily for these types of events, and:

- in the case of a stadium, have a minimum of 5,000 permanent fixed seats; and
- in the case of a concert hall, have a minimum of 1,500 permanent fixed seats.

The exemption permits an arrangement in which up to 90% of liquor sales in a designated liquor category (for example, draught beer) come from product/s supplied by one supplier. The supplier may pay the licensee for this privilege. The following designated liquor categories are recognized for the purposes of this exemption:

- draught beer;
- draught cider;
- beer served in bottle or cans;
- cider or coolers made with wine or spirits, served in bottles or cans;
- wine, other than wine coolers; and
- spirits, other than spirit coolers.

In such arrangements, the remaining minimum 10% of sales in a designated liquor category must come from product/s supplied by a different supplier/s not associated with the exempted supplier, and may not be subject to this type of financial arrangement. The availability of the liquor products that make up the remaining minimum 10% of sales must be made known to patrons at liquor sales locations within the stadium or concert hall. These products must also be:

- reasonably priced; and
- available from a reasonable number of sales locations throughout the stadium or concert hall.

Licensees at the stadium may have multiple arrangements, for example one for draught beer and one for wine, with the same or different liquor suppliers.





# Advertising Your Business

Advertising means any public notice, announcement or display, including liquor packaging, through any means of communication that is intended to promote:

- Liquor products,
- The brand name of liquor,
- The name of a premises where liquor is available or the opportunity to make liquor is available, or
- The name under which the holder of the licence or permit carries on business

References to liquor products, manufacturers, licensed establishments, etc. in journalism articles or in scientific or academic research reports not paid for by the licensee are not considered advertising.

All 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 Regulations*. Please see Appendix for the Code.

## What You May Advertise

You may advertise:

- What kind of liquor you offer
- How much you charge for liquor (your liquor prices, including happy hour or daily specials)
- Your hours of sale
- Any entertainment or food featured at your establishment

## 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 not 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 cannot legally include liquor as part of a joint promotion with your establishment. You may not participate in internet discount promotions that include liquor.

## Advertising Catering Services

If you have a catering endorsement, you may advertise in the same way as you can with your liquor primary establishment, with one limitation. You may not advertise the availability, sale or service of liquor in relation to an ongoing or upcoming event you are catering.

# Entertainment

## What You May Offer

Any entertainment you offer must comply with local bylaws. It must also comply with any restrictions imposed regarding hours or type of entertainment allowed (these restrictions, if any, will be specified on your licence).

Permitted entertainment includes the following:

- Television and movies, provided movies are shown in accordance with the Motion Picture Act and its regulations, and are not restricted, adult-rated or unrated
- Live or recorded music
- Live radio/television broadcasts (as long as the purpose of the broadcast is not the promotion of liquor)
- Computers with internet access
- Video games
- Card games/games of chance and board games, for amusement only
- Dancing
- Games of skill (such as darts, pool and video games)
- Live prize-fighting, kick-boxing, and similar contact sport events, provided you apply to the general manager for approval in advance, do not involve patrons, and take steps to protect both patrons and staff
- Adult entertainment, provided you post a sign at your entrance notifying patrons that your establishment offers adult entertainment, (see additional rules for adult entertainment, page 31)

## Rules for Tournaments and Contests

Manufacturer-sponsored tournaments are only allowed in establishments that are located at a sports stadium, recreation centre, ski hill, racquet club, bowling alley, concert hall, or university/cultural centre. You may charge an entry fee for tournaments but not for contests.

- You must not offer or give liquor as a prize (or tokens redeemable for liquor), and your event must not involve the consumption of liquor
- You must not require the winners to be present to collect their prize
- Your event must not involve a contact sport
- Neither you, your immediate family, nor your staff, may enter

While you are permitted to hold contests and tournaments involving wet T-shirts, wet jockey shorts, bare-as-you-dare, or similar themes or activities, they must conform to community standards; you cannot advertise them; and they cannot involve physical contact between patrons

## Gaming

Gaming (also called gambling) is defined as playing or gaming, for money or other stakes, on an uncertain event; it involves chance and the hope of gaining something more than the amount paid to participate. If minors are allowed to be in your establishment, you must not permit any licensed gaming events during the times when minors are allowed to be present, except for licensed ticket raffles and bingo events.

If you have BC Lottery Corporation products for sale in your establishment during the hours that minors are permitted, you must ensure that minors are restricted from purchasing age-restricted self-serve lottery products. BC Lottery Corporation requires that patrons are notified that the purchase of lottery products by minors is prohibited. Consistent with the treatment of other lottery retailers where purchase is age-controlled, wall or ceiling mounted gaming screens are not required to be covered or switched off. Unlicensed gaming pools, including those associated with major sporting events, are prohibited under the Criminal Code of Canada.

## Adult Entertainment

Adult entertainment includes:

- *Exotic dancers* – entertainers who remove clothing during a performance and/or perform in a sexually suggestive manner
- *Adult-oriented performers* – entertainers who present performances not suitable for minors (nudity, sexual content, violence, obscene language)
- *Adult-oriented activities* – activities not suitable for viewing by minors (full or partial nudity, sexual content, violence, degradation or abuse)

Belly dancers are not considered adult-oriented performers.

If you are offering adult entertainment:

- The entertainers must be at least 19 and must wear appropriate clothing while walking through the audience before and after performances. This clothing may be part of their stage costume; however, the clothing must provide coverage of the entertainer's breasts and genitalia.
- If you have received approval to allow minors in your establishment, but you also occasionally offer adult entertainment, you must not offer adult entertainment during the hours when minors are permitted, or you must post appropriate signage prohibiting minors during the event.
- Performances must be confined to the stage or other approved areas (these areas will be noted on your floor plan). No performing is allowed in the audience area.
- Animals cannot be part of a performance and are not permitted as entertainment, except as approved by the general manager.
- You must ensure that adult-oriented performers, exotic dancers and adult-oriented activities cannot be viewed from outside the service area – dividers or other separation must prevent a line of sight into the area.
- The exotic dancers/adult-oriented performers cannot act as servers or hold any other employment position in your establishment while working in their role as entertainers. However, when individuals are not working in their role as an entertainer, they may be employed as servers or hold positions of employment in your establishment and this may occur during the same shift.
- If an entertainer holds another employment position in the establishment, they must change out of their entertainer clothing and into clothing typical for the position they are tasked with prior to starting that position. Exotic dancing/adult entertainment must not be combined with serving or any other employment position.

All licensed establishments that intend to provide adult entertainment are required to install surveillance cameras in all private show/VIP booths.

## Entertainer Conduct

While professional entertainers may consume liquor in the establishment, employees who provide entertainment cannot do so during working hours.

As with patrons, it is the responsibility of the licensee to ensure that professional entertainers do not become intoxicated. If an entertainer becomes intoxicated, they must be refused service, removed from the premises and the licensee must ensure they depart safely from the establishment. An intoxicated entertainer must not be allowed into the licensed establishment.

Exotic dancers and adult-oriented performers cannot:

- Engage in real or simulated sex acts, or in any acts involving coercion or violence, either simulated or real
- Insert any object into, or extract any object from, the vagina or anus
- Urinate or defecate while performing
- Touch, share food and beverages, or pass objects to members of the audience or to other performers
- Dance/perform on table tops or other areas outside the approved areas
- Deliberately engage a patron in an adult-oriented performance or activity
- Perform while intoxicated

Tipping and distribution of promotional material are permitted, as long as there is no physical contact between the entertainers and each other or with an audience member.

# Relations with Manufacturers, Agents and Sales Representatives

There are strict rules regarding how you can work with liquor manufacturers and agents to promote liquor products. For more information regarding agents and their role, read the definition in the Glossary section of this handbook or refer to the Manufacturer Terms and Conditions Handbook.

Agents and B.C. manufacturers may hire employees to promote and market the manufacturer's liquor products that the agent is authorised to represent. Agents and manufacturers are responsible for making sure their employees follow B.C.'s liquor laws and the terms and conditions of their licence. The agents and manufacturers must also provide their employees with identification establishing them as marketing representatives.

## Activities Not Permitted: Inducements

The Act prohibits you from asking for or receiving benefits for selling a particular liquor product. You cannot, 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 cannot 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 and furnishings or permanent display structures.

In addition:

- Manufacturers cannot 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 cannot 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 has 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 with any amount of ownership interest in a manufacturer/agent licence. Immediate family members include spouses, parents, siblings and children.

If any of 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.

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 with an approved tied house exemption.

## Activities Permitted

### Promotional items

You may accept promotional items of nominal value (such as coasters, tent cards, signs and posters) from liquor manufacturers and agents, as long as:

- Your menu already lists the brand of liquor identified in the promotional materials
- 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 use brand-identified glassware, as long as you purchase it at fair market value and retain proof of purchase for two years.

You may purchase clothing and novelties (such as shirts, caps, key chains, etc.) with the name or brand of a particular liquor or liquor manufacturer, and re-sell them to clients or employees. These items may display the name of your business.

You may accept promotional clothing items with a manufacturer's name or brand on them to give away to patrons. You cannot take any promotional items for personal use or future promotions, and you cannot sell them (you may only sell items you have purchased).

A liquor manufacturer or agent may loan you more expensive promotional items (signs, patio umbrellas, menu boards, etc.) or temporary display structures. These items will remain the property of the manufacturer.

You cannot place bottles of liquor on tables as a promotional or point-of-sale device.

### Product Samples

As a way of introducing their products, a manufacturer or agent may give you product samples. 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)
- 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 service area, may consume this product. It is not intended for your patrons and must not be served to them.

## Promotions at Establishments

With your permission, manufacturers and agents may visit your establishment to promote their products, but there are strict requirements concerning what they must do while they are there.

If they visit your premises to conduct tastings, theme nights or joint promotions they must:

- Be present the entire time
- Pay a price for the liquor served that is no less than the price you normally pay for the product at the Liquor Distribution Branch or approved vendor, and no more than the price you normally charge your customers
- Not subsidize the price of the products in any way, such as by paying the difference between the normal selling price of a product and a special price
- If the manufacturer or agent is pouring, ensure that sample sizes do not exceed the maximum quantity per person, per day, which is half a standard drink (75ml wine, 175 ml beer, 20 ml spirits), divided as you choose
- Ensure open containers of liquor are not left unattended at any time

As the licensee you must

- Ensure food is available for patrons.
- Ensure that if they are sold, pricing for samples is not below the required minimum price for that category of liquor in the [minimum drink price table](#).
- Ensure that free sample sizes do not exceed the maximum quantity per person, per day (as above).
- Issue the manufacturer or agent a countersigned receipt for the dollar value of the total amount of liquor and/or food purchased
- Refund the manufacturer or agent for the cost of any unopened liquor, which you must return to stock

## Other Conditions

You cannot charge or accept a fee from the manufacturer or agent for conducting the event. You may accept a gratuity, as long as it does not exceed 15 per cent of the total amount of liquor and/or food purchases noted on the countersigned receipt you issued at the end of the event.

You and/or the manufacturer/agent may advertise the event outside the establishment if you wish.

If the manufacturer/agent is providing samples they must serve them. If the promotional event involves other sizes or types of liquor sales, they must be served by the licensee's staff.

Mass treating or "buying drinks for the house" is not allowed, and the manufacturer/agent cannot leave money for this purpose. The manufacturer/agent may, however, join customers at a table and buy a drink for everyone at that table, as long as the manufacturer/agent:

- Buys the drinks from you;
- Pays for each order at the time it is served (it may be put on a tab provided the bill is settled before you leaving the establishment), and drink prices are the same as the establishment would charge regular patrons at the time the purchase;
- Does not treat more than one table at a time, except where the treat involves a bona fide organization, such as a sporting team, arts or cultural club; and
- You issue the manufacturer/agent a countersigned receipt for the dollar value of the product you purchased.

A manufacturer/agent supporting a promotional event, such as a theme night, at your establishment may also do the following:

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

## Joint Promotions/Brewmaster's or Winemaker's Dinners

You may enter into a joint promotion with a liquor manufacturer or agent to feature a manufacturer's products during an event, such as a brewmaster's or winemaker's dinner, as long as the event includes a full meal and you purchase the liquor served at the event from the Liquor Distribution Branch (liquor cannot be provided by the manufacturer or agent). You and the manufacturer or agent may advertise the event. There are no limits to the number of joint promotions you may hold.

## Sponsorships

You may sponsor events, activities, or organizations using your corporate name or the name of your establishment. The sponsored event may be held at your establishment or offsite at an unlicensed venue or catered event. If you are permitted to have minors in your establishment, you may sponsor minors' events, activities, and organizations.

You may jointly sponsor an event with a manufacturer in an establishment as long as the event is time-limited and you do not have an ongoing relationship with the manufacturer/agent. Both you and the manufacturer may advertise the sponsored event.

If you have a catering endorsement, a manufacturer or agent may sponsor activities at a catered event. The activity must be time limited, and you must not have an ongoing relationship with the manufacturer/agent.

## Educational Events and Activities

You may attend educational events or activities, such as an all-day "wine school," put on by a liquor manufacturer or agent.

You may accept payment from the liquor manufacturer or agent for legitimate travel, meal, accommodation and entertainment expenses associated with the educational event, up to \$1,500 per year per licensee location. If you have multiple licensed establishments (for example, a chain of pubs) 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 \$1,500 per licensee location per year.

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# Temporary Use Area Endorsements

A Temporary Use Area Endorsement enables a licensee at a golf course or ski hill to hold up to 26 events per year at outdoor areas on the property. Licensees must apply for a Temporary Use Area endorsement.

## Temporary Use Area Terms and Conditions

To hold an event in your Temporary Use Area, you must have a Temporary Use Area authorization.

The terms and conditions of the authorization are only in effect during the times indicated on the authorization. Authorizations are generally subject to the same terms and conditions as your primary licence; however, they may also have specific rules or restrictions for each event site.

Terms and conditions that apply to a Temporary Use Area authorization:

- You must post the authorization and a copy of your licence on site during the event
- Patrons are not required to leave the event site within 30 minutes of the end of liquor service, however you must ensure that all liquor is removed from patrons within this time period
- Events must end no later than 10 p.m.
- The number of people in attendance at the event site must not exceed the attendance listed on the authorization, and must not exceed the occupant load, if one exists
- The event site must be appropriately bounded and staffed (as set out in the terms and conditions of your endorsement, authorization and/or security plan), so that the liquor service and consumption area is clearly visible

## Requesting a Temporary Use Area Authorization

Requests for a Temporary Use Area authorization are submitted to the Branch online via OneStop: <http://onestop.gov.bc.ca/lclb.htm>.

You may request an authorization to hold multi-day events. Multi-day events must be for consecutive days, on the same event sites and have the same maximum attendance, but they may have different hours for each day. Each day of a multi-day event counts towards the 26-day annual maximum.

Authorizations may permit liquor service at different event sites at different times during the day. This counts as only one day towards the 26-day total, but attendance numbers for all locations are calculated in the total daily attendance for the authorization.

Certain authorization requests are considered low risk and are approved automatically; others will require the liquor inspector's approval. The distinction is based on the total daily attendance all the event sites.

**Small event requests (under 500 people)** require submission at least **seven days in advance**. When the total attendance for all event sites exceeds 500 people per day, an event is considered large and the authorization will require approval.

**Large event requests** must be submitted at least **21 days in advance** and you must to submit a security plan to your liquor inspector by email, and send copies of your authorization request notification and security plan to your local police.

The branch may cancel a Temporary Use Area authorization if the information provided for an event was inaccurate or has changed. The Branch may also amend an authorization upon request, as long as the same advance notice is given, i.e. seven days for small events, 21 days for large events.

If you wish to cancel your own event, you may do so by contacting your liquor inspector at least 24 hours before the start time listed on the authorization. Doing so will ensure the event will not count against your annual limit of 26.

More details about the online notification process, information about how to submit requests, and the rules regarding how

events are considered and counted, is available via the help pages within the OneStop EVENTS area online.

## Security Plans

For Temporary Use Area events with 500 or more people, the liquor inspector will require you to submit a security plan. The security plan must describe the event in detail, including staffing levels and security, liquor service areas and the capacity at each activated Temporary Use Area location. It must describe how key safety and security risks will be addressed, such as service to minors, overcrowding and intoxication and control and safety of guests, including entering and exiting service areas.

A template for the Security Plan is available on the Branch website at [http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo52\\_security\\_plan\\_for\\_temporary\\_use\\_area\\_activations.pdf](http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo52_security_plan_for_temporary_use_area_activations.pdf)

## Off-premises Sales

If you have an endorsement for off-premises sales, you may sell packaged beer, draught beer in kegs, wine, cider and coolers. Under some circumstances, off-premises sales are restricted to beer manufactured under a brewery licence located at the same establishment (for example, a brewpub). Your licence will indicate what you can sell.

The hours of sale are your licence's hours of operation, except that no off-premises sales are permitted after 11 p.m. Customers must immediately leave your establishment after they have made their purchase.

You cannot sell off-premises liquor for less than the price set out in the table below:

| Liquor Category                          | Minimum Price Per Litre (not including all sales taxes) |
|--|---|
| Packaged beer (bottles and tins)         | \$3.19  |
| Draught beer (kegs 18 litres or greater) | \$1.97  |
| Wine                                     | \$6.44  |
| Cider and coolers                        | \$3.75  |

An interactive Excel spreadsheet is available on our website that allows 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](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 also deliver products upon order to customers under the following terms and conditions.

Liquor can only be delivered to:

- A place where liquor can legally be possessed or consumed
- Individuals 19 years of age or older (for information on verifying age, see the ID Requirements section of this handbook)
- Individuals who are not intoxicated

In addition:

- 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 later than one half hour after the hours you are permitted to offer off-sales
- You must keep delivery transaction records for at least six years. These must include the date, time and address of each delivery, products purchased, prices charged, delivery fees and total amount paid.
- You must not take orders for liquor or arrange for payment and delivery of liquor outside your licensed premises
- You are responsible for making sure that anyone delivering for you follows these rules
- You or your staff must take the order, complete the sale (including the cost of delivery) and make the arrangements for delivery by either your staff or an outside delivery service

# Catering Endorsements

## What does a Catering Endorsement Allow You to Do?

A catering endorsement enables you to provide food and beverage service at events hosted by your clients. You must apply for this licence endorsement. Liquor primary clubs are not eligible for a catering endorsement because they are licensed to serve liquor to their members and guests only.

Terms and conditions at an event may differ from the terms and conditions regarding hours, food service, minors or entertainment that apply at your establishment.

## Keeping Your Catering Focused on Food

As a liquor primary licensee with a catering endorsement, you are responsible for ensuring that the primary focus of your catering service is the preparation and serving of food, and you have the personnel and equipment necessary to prepare and serve food at events. Alcohol is considered an accompaniment to the food at events.

- **Kitchen Equipment:** Other than in exceptional circumstances, the kitchen should be equipped with commercial appliances, including a range, oven, refrigerator and dishwasher, and also have a food storage area and a food preparation area. Equipment needed to transport and serve food at events should also be available.
- **Food Selection Available:** The food selection for hosts to choose from must include a reasonable variety of appetizers and main courses.
- **Staffing:** Your business must have a cook and adequate servers to cater events.
- **Financial Records:** You must make all financial records available and provide receipts for the liquor inspector to review upon request. (Please see the section on Inspections for a complete list of the records you are required to keep.)
- **Food to Liquor Ratio:** The ratio of receipts from food sales to receipts from liquor sales at events must support the fact that your primary focus is food.

## Types of Events you May Cater

Events where liquor is sold by a caterer are considered either residential events or catered events.

**Residential events:** Invitation-only events held at a private residence, such as a dinner party or wedding.

**Catered events:** Events held anywhere other than a residence, such as a community hall, park or corporate boardroom. Types of events may include weddings, business meetings, staff parties, festivals, sporting events, concerts, or grand openings.

Caterers can also serve liquor at events where only the host provides the liquor. In these circumstances, the caterer cannot purchase, transport or sell the liquor; they may only serve it.

The terms and conditions in this handbook only apply to catered and residential events where the caterer is selling and serving liquor purchased under their licence. You may cater events on the same property as your liquor primary establishment, as long as the event is held outside the service area and events are primarily held offsite.

## Requesting a Catering Authorization

Anytime you are selling and serving liquor purchased under your licence at a catered event, you must submit a request for a catering authorization. You will be asked to provide key facts about the event. Requests must be submitted online via the

OneStop Business Registry ([www.bcbusinessregistry.ca](http://www.bcbusinessregistry.ca)). All requests must be submitted prior to the event.

Certain catered events are considered low risk and the requests will be approved automatically. Events considered higher risk require review by the local liquor inspector for approval.

Catered events will be considered low risk if the following circumstances apply:

- Events under 500 people
- Indoor events (other than community events) under 500 people
- Any event (other than a community event) where the duration of liquor service does not exceed two hours

All other events, as well as catered events with extended hours, will require the liquor inspector's approval. For these higher risk events, the request must be submitted 21 calendar days prior to the event.

In some circumstances, the Branch may require that all catered events from a certain caterer be approved by a liquor inspector. For example, cases where the caterer or business location is deemed high risk or the caterer has a poor compliance history.

The Branch may cancel an event authorization if the information for an event was inaccurate or has changed. The Branch may amend an event authorization upon request. The general manager may limit the frequency of catered events at specific locations. You must notify police, via fax or email, of all catered events.

## Local Government/First Nation Approvals

You must keep copies of local government/First Nation approval on file for all community events and for events with extended hours (outdoor events after 10 p.m. or indoor events after 2 a.m. on New Year's Eve). In addition, you must keep copies of approvals from the Tsawwassen First Nation or Nisga'a Nation for all events on their land.

If a local government or First Nation issued their approval subject to conditions, you must provide a copy of the conditions to the liquor inspector.

## Security Plans

For certain events, the liquor inspector will ask you to submit a security plan. The security plan must describe the event in some detail, including staffing levels and security, if required, liquor service areas and venue capacity. It must describe how key safety and security risks will be addressed, such as service to minors, overcrowding and intoxication, and control and safety of guests, including entering and exiting the venue.

A template for the Security Plan is available on the Branch's website at [http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo99\\_catered\\_event\\_safety\\_and\\_security\\_plan.pdf](http://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/forms/lcrbo99_catered_event_safety_and_security_plan.pdf). Someone other than you, such as the host or an event planner, may prepare the plan, but you are responsible for submitting it to the inspector.

## Terms and Conditions that Apply to Your Catering Endorsement

- All staff that are serving or managing events must have Serving It Right certification.
- Catered events must be primarily held offsite.
- Minors may serve food or work as entertainers at events, but they cannot serve liquor.
- Only you or your employees may sell liquor at an event, and you or your employees must be at the event at all times liquor is being sold or served.
- You must remove any unused liquor at the end of the event and return it to the inventory at your establishment. With the exception of re-sealed bottles of wine, you can't leave unfinished bottles of spirits or unopened bottles of liquor at the event.

- There are no restrictions on liquor pricing at catered events. Minimum drink pricing requirements do not apply.
- The price list and the quantity of liquor in each drink must be made available to guests upon request. For events with a hosted bar, you only need to state that the liquor is provided complimentary of the host.
- You cannot promote or invite guests to events you are catering. Exceptions to this are infrequent client appreciation and staff appreciation events where you provide the liquor at no cost to your invited guests.
- You must not cater a series of events for the same person if it appears that you are operating an ongoing business with that person. Universities and colleges with a catering endorsement may cater a series of events hosted by the university or college (or events hosted by groups associated with the university or college) as long as the events are held on-campus.
- You must retain all revenue from liquor sales at an event. You must not give any portion of the revenue from liquor sales to the event host.

## Terms and Conditions that Apply to Catered Events

The term “catered event” refers to any event that is not held in a residence and where liquor is sold by a licensed caterer.

**Authorization:** You must obtain a catering authorization prior to each catered event.

**Licence:** You must post a copy of your liquor licence and catering authorization and have available any local government/First Nation approvals or security plans at a catered event.

### Venue:

- The site of a catered event must be adequately separated from adjacent areas and supervised. Outdoor events must be surrounded by a barrier. The type of barrier required will vary based on the event: stanchions may be sufficient for a small corporate event, whereas a community event requires more substantial fencing.
- You must ensure that all catered events comply with local bylaws and health and fire regulations. Catered events on land within the Agricultural Land Reserve must comply with Agricultural Land Commission requirements.
- The number of guests at a catered event must not exceed the venue’s occupant load or the number of guests specified in the catering authorization. You must have controls at each entry point to the venue, and you must be able to count the number of people entering and leaving.

**Minors:** Minors are permitted at catered events unless restricted by the Branch or the host. Minors are not permitted at events with adult entertainment or gambling.

**Hours:** Liquor may be served at indoor events between 9 a.m. and 2 a.m. and at outdoor events between 9 a.m. and 10 p.m. With local government and branch approval, liquor service for outdoor events may be extended until 2 a.m. on New Year’s Eve. You may serve liquor until 4 a.m. on January 1, as long as local government has given approval and food is available to customers.

**Food:** Food and non-alcoholic beverages must be provided at all catered events. While food does not need to be served at all times during events, over the course of the event liquor service must be secondary to food service. At a minimum, appetizers must be served and more food may be required depending on the length and type of event. Packaged snacks do not meet the minimum food requirement.

### Liquor Service:

- Patrons may only consume liquor in the areas noted on the catering authorization.
- The host or guests are not allowed to bring their own wine or other liquor to a catered event.
- All liquor purchased from you must be consumed at the event, with the exception of unfinished bottles of wine, which may be re-sealed for guests to take home.
- You may sell or serve liquor only during the hours indicated on the Catering Authorization for a particular catered event.
- You must ensure that liquor is taken from guests within half an hour after the time stated on the catering

authorization for liquor service.

**Gaming:** In most cases, all types of gaming licensed by the Gaming Policy and Enforcement Branch are permitted at catered events. However, if minors are allowed at a catered event you must not permit any gaming except for ticket raffles and BC Lottery products.

**Entertainment:**

- The entertainment offered at a catered event must be compatible with the nature of the event and not interfere with your ability to maintain effective care and control. For example, if the entertainment uses part of an event area, you must ensure that guests will not be so crowded together that staff will be unable to observe and control their conduct.
- Entertainment must conform to local bylaws, and must not create excessive noise or otherwise negatively impact nearby residents and businesses.
- Entertainment, games and activities that may jeopardize patron or public safety are not permitted.
- You cannot hold a contest or tournament at a catered event, but the host may do so.
- If a catered event features adult entertainment, you must post a sign at the entrance and not allow minors at the event.

## Terms and Conditions that Apply to Residential Events

A residential event is an event for the client and their invited guests held at a residence.

- Catering authorizations are not required.
- Minors may be permitted at residential events.
- You may only sell liquor to the host; you cannot sell drinks directly to the patrons at a residential event.
- You may only sell liquor that has been purchased from the Liquor Distribution Branch. However, you may serve liquor provided by the host or the host's guests. This includes commercially made and UBrew/UVin (Ferment-on-Premises) product.
- All liquor you sell to the host must be consumed at the event. At the end of the event, all unused liquor purchased under your licence must be returned to your establishment, with the exception of unfinished bottles of wine, which the host may keep or guests may take home. Your staff must re-seal any unfinished bottles of wine.

# Compliance and Enforcement

As a licensee, you are required to:

1. Follow all of the terms and conditions.
2. Always allow liquor inspectors and/or police officers to enter your establishment. Never impede their entry in any way.
3. Never draw attention to liquor inspectors inside your establishment. This can affect the inspectors' safety.

For more information on Compliance and Enforcement, please visit <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-liquor-control-compliance-and-enforcement>

If your licence is suspended, you are not permitted to sell, serve or permit consumption of liquor in your establishment.

## Posting Signs Relating to Suspensions or Monetary Penalties

If a suspension or monetary penalty is imposed on your licence, the Branch may post a sign in a prominent location in the interior or on the exterior of your establishment.

You must ensure the signs are posted for the entire period of the suspension or, for monetary penalties, the period specified on the sign. During the period that the signs must be posted, you must ensure the signs are not defaced, obstructed or moved.

Other ministries also have requirements that you must follow. Please refer to

<https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-law-policy/other-relevant-laws-related-to-bc-liquor-industry> for more information.



# 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.

**"Agent"** refers to a holder of an agent licence who represents products manufactured outside British Columbia. An agent may advertise and promote liquor to licensees, liquor stores and the public, but can only sell liquor from any manufacturer they represent to the Liquor Distribution Branch in a manner authorized by the Liquor Distribution Branch.

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

**"Hawker"** refers to a person who serves liquor to patrons in the seating area of a stadium.

**"Licensee"** refers to any individual, individuals or corporate body that holds a British Columbia liquor licence. The term covers both the licensee and any person acting in the place of the licensee, such as a manager or person in charge of an establishment in the licensee's absence.

**"Licensee retail store"** or **"liquor store"** means an establishment that is permitted to sell all types of packaged liquor.

**"Manufacturer"** means a person who manufactures liquor (beer, wine, spirits, cider, coolers).

**"Catered event"** means any event that is not held in a residence and where liquor is sold by a licensed caterer.

**"Caterer"** refers to a licensee with a catering licence or a catering endorsement.

**"Catering authorization"** means the approval granted by the Branch for a catered event.

**"Catering endorsement"** means an endorsement that may be added to a food primary or liquor primary licence to allow the licensee to sell liquor at residential and catered events.

**"Event"** includes Temporary Use Area events, catered and residential events, as the case may be.

**"Event site"** means the place referred to in the Temporary Use Area or catering authorization.

**"Host"** refers to the client that hired you (if you have a catering endorsement) to cater food and liquor at an event.

**"Food primary"** means an establishment where the service of food is the primary focus in the service area during hours of liquor service.

**"Liquor primary"** means an establishment where the service of liquor is for on-premises consumption.

**"Liquor primary club"** means a private club that is licensed to serve liquor to members and their guests.

**"Marketing representative"** refers to a person hired by a licensed agent to promote their products.

**"Occupant load"** means the number of people permitted in an establishment or event site at one time. The number is calculated by designated professionals.

**"Patron capacity"** means the maximum number of customers permitted in a service area at one time.

**"Person capacity"** means the maximum number of people (customers and staff) permitted in a service area or event site at one time.

**“Service area”** means the area within an establishment or event site where liquor may be sold, served and consumed.

**“Residence”** means a private dwelling (where someone lives) and the land surrounding it.

**“Residential event”** means an invitation-only event held at a residence where liquor is sold by a licensed caterer, such as a dinner party or wedding.

**“Temporary Use Area authorization”** means the approval granted by the Branch to hold an event at a Temporary Use Area.

**“Temporary Use Area endorsement”** means a licence endorsement available to licensees who operate a ski hill or golf course, which allows them to hold events at outdoor locations on their property using a Temporary Use Area authorization.

# APPENDIX

## CRTC CODE FOR ADVERTISING ALCOHOLIC BEVERAGES

Commercial messages for alcoholic beverages shall not:

- Attempt to influence non-drinkers of any age to drink or purchase alcoholic beverages;
- Be directed at persons under the legal drinking age, associate any such product with youth or youth symbols, or portray persons under the legal drinking age or person who could reasonably be mistaken for such persons in a context where any such product is being shown or promoted;
- Portray the product in the context of, or in relation to, an activity attractive primarily to people under the legal drinking age;
- Contain an endorsement of the product, personally or by implication, either directly or indirectly, by any person, character or group who is or is likely to be a role model for minors because of a past or present position of public trust, special achievement in any field of endeavour, association with charities and/or advocacy activities benefiting children, reputation or exposure in the mass media;
- Attempt to establish the product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of the product should take precedence over other activities;
- Imply directly or indirectly that social acceptance, social status, personal success or business or athletic achievement may be acquired, enhanced or reinforced through consumption of this product;
- Imply directly or indirectly that the presence or consumption of alcohol is, in any way, essential to the enjoyment of an activity or an event;
- Portray any such product, or its consumption, in an immoderate way;
- Exaggerate the importance or effect of any aspect of the product or its packaging;
- Show or use language that suggests, in any way, product misuse or product dependency, compulsive behaviour, urgency of need or urgency of use;
- Use imperative language to urge people to purchase or consume the product;
- Introduce the product in such a way or at such a time that it may be associated with the operation of any vehicle or conveyance requiring skill;
- Introduce the product in such a way or at such a time as may associate the product with any activity requiring a significant degree of skill, care or mental alertness or involving an obvious element of danger;
- Contain inducements to prefer an alcoholic beverage because of its higher alcoholic content;
- Refer to the feeling and effect caused by alcohol consumption or show or convey the impression, by behaviour or comportment, that the people depicted in the message are under the influence of alcohol;
- Portray persons with any such product in situations in which the consumption of alcohol is prohibited; or
- Contain scenes in which any such product is consumed, or that give the impression, visually or in sound, that it is being or has been consumed.

