

Date: January 23, 2017

To: All LCLB Staff
All licensees
All industry associations
All local government, First Nations and police agencies

Re: Special events at liquor primary clubs, new signing authority for branch forms, new reporting requirement for societies and public corporations, new manufacturer location criteria

Please note: These policy changes are effective immediately

1. Special events at liquor primary clubs

Current Policy

Liquor primary (LP) club licensees are not allowed to apply for a special event permit (formerly special occasion licence) to hold a special event at their establishment.

New Policy

LP club licensees can obtain a special event permit (SEP) to hold a special event at their establishment, as long as they apply for a temporary change to liquor service (limited to six times per year) and pay the applicable fee.

When operating under an SEP, LP clubs must follow all of the SEP terms and conditions, including the prohibition against using liquor purchased under their LP club licence for the event. An LP club licensee also cannot use liquor left over from a special event under their LP club licence.

Explanation

LP clubs are now able to occasionally sell liquor to the public using an SEP.

2. New signing authority for branch forms

Current Policy

The branch requires that all forms be signed as follows:

- If the licensee/applicant is a sole proprietor, a signing officer
- If the licensee/applicant is a public corporation, a shareholder
- If the licensee/applicant is a private company, a signing officer
- If the licensee/applicant is a general partnership, all of the partners
- If the licensee/applicant is a limited partnership, all of the partners
- If the licensee/applicant is a society, a signing officer

If the licensee/applicant assigns a resident manager or a third-party operator and the form does not prohibit their signature, that person may sign the form as well.

New Policy

The branch now requires that an authorized signatory of the licensee/applicant complete and sign all forms. The licensee/applicant is responsible for ensuring that the individual who signs the form is authorized to do so. Typically, an authorized signatory will be as follows:

- If the licensee/applicant is an individual, the individual themselves
- If the licensee/applicant is a corporation, an officer or, in some cases, a director
- If the licensee/applicant is a general partnership, one of the partners
- If the licensee/applicant is a limited partnership, the general partner of the partnership
- If the licensee/applicant is a society, a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the Add, Change or Remove Licensee Representative form (LCLB101) and they have specifically permitted a licensee representative to sign a form on the licensee/applicant's behalf, the branch will accept the licensee representative's signature.

Explanation

These changes are a result of the new *Liquor Control and Licensing Act*, the new *Societies Act*, and to better align our forms with the *Business Corporations Act*.

3. New reporting requirement for societies and public corporations**Current Policy**

When applying for a liquor licence, the Liquor Control and Licensing Branch (the branch) requires public corporations and societies to complete a personal history summary and consent for disclosure of criminal record information for the top four directors or officers of an organization. This information must also be provided to the branch whenever a new director/officer is named as one of the top four directors or officers.

New Policy

When applying for a liquor licence, societies and public corporations are now required to submit a completed criminal record check for all directors of an organization. Each director must now first apply for their criminal record check at their local police or RCMP detachment and then provide the completed criminal record check and personal history summary to the branch along with the application. This information must also be submitted to the branch whenever a new director is named.

Explanation

Requesting information from all directors improves alignment with the *Business Corporations Act* and the new *Societies Act*. Although a board of directors may have executive functions (for example, chief executive officer or president), the board shares liability equally. Providing completed criminal record checks at the time of application is expected to speed up the processing time.

4. New manufacturer location criteria**Current Policy**

Where manufacturers are on agricultural land or acreage, the manufacturing site may be on contiguous properties.



Liquor Control and Licensing Branch
POLICY DIRECTIVE
No: 17 – 02

New Policy

Where manufacturers are on agricultural land or acreage, it is now also acceptable for the manufacturing site to be on contiguous properties that are separated by a public road (i.e. they are across the road from one another).

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.gov.bc.ca/liquorregulationandlicensing>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

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