

Date: July 11, 2018

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

Re: Miscellaneous *Liquor Control and Licensing Act* changes

In April 2018, amendments to the *Liquor Control and Licensing Act* (LCLA) were proposed to resolve some minor omissions and inconsistencies that have surfaced since the new LCLA was passed in 2015. Additionally, amendments to the LCLA were proposed to ensure consistency with the *Cannabis Control and Licensing Act* (CCLA).

The amendments listed below, and some minor housekeeping amendments such as updating definitions, clarifying certain requirements, and removing incorrect references, have now been passed. These changes are effective immediately.

For more specific information on these amendments, please view the bills at the links provided below.
[Bill 24 – Miscellaneous Statutes Amendment Act \(No. 2\), 2018](#)
[Bill 30 – Cannabis Control and Licensing Act](#)

1. Employment of minors

Current Policy

Minors may only be employed by a licensee or permittee as set out in the regulations.

New Policy

The General Manager (GM) can set minor employment provisions by terms and conditions.

Explanation

This change provides future flexibility for the GM regarding the employment of minors and is consistent with how the GM sets terms and conditions relating to when minors may be allowed entry into establishments and special events.

2. Due diligence defence for minors

Current Policy

A licensee or permittee, an employee of either of them, or a person who sells liquor in a liquor store contravenes the LCLA if they are found to have admitted or employed a minor in an establishment, service area or event site where minors are not permitted.

New Policy

A licensee or permittee, an employee of either of them, or a person who sells liquor in a liquor store does not contravene the LCLA if they admit or employ a minor in an establishment, service area or event site where minors are not permitted if they have required the individual to produce identification, which they have examined and believe to be authentic.

Explanation

This change ensures a licensee or permittee, an employee of either of them, or a person who sells liquor in a liquor store receives the same due diligence protection for admitting or employing a minor in an establishment, service area or event site as they do for selling or supplying liquor to minors.

3. Disclosure of information or records**Current Policy**

The current LCLA allows information or records to be disclosed to another person if the disclosure is for the purposes of administering the LCLA.

New Policy

The LCLA now allows information or records to be disclosed to another person for the purposes of administering and enforcing both liquor and cannabis-related legislation, including the *Liquor Distribution Act*, the *Cannabis Distribution Act* and the CCLA and associated regulations under those Acts.

Explanation

This will allow the branch to share information internally in the event that a person holds a both a liquor and cannabis licence and/or an agreement.

4. Ownership and agreement requirements**Current Policy**

An applicant must own or lease the place or premises tied to the licence or the proposed licence.

New Policy

The GM has the authority to accept alternative ownership arrangements, such as a sublease, provided the arrangement gives the applicant adequate control over the establishment.

Explanation

It is not always practical for an applicant to own or lease a space. This change provides the GM with the flexibility to accept alternative arrangements beyond owning or leasing a premise or place where a licence is or will be issued.



Liquor and Cannabis Regulation Branch
POLICY DIRECTIVE
No: 18 – 03

Further Information

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

Original signed by

Michelle Carr,
Assistant Deputy Minister and General Manager