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Working with NWT Licence & Permit Holders

The Liquor Licensing Board met in Yellowknife in November for training (Interpreting Legislation) and meetings. The Board completed its review of licence and special occasion permit application forms, and we expect they will be ready to use by the New Year if not before. The forms should be easier to navigate, will be PDF writeable, and should streamline the application process. The Board also finalized its "Rules of Practice and Procedure" as they relate to compliance hearings. This document can be found on the LLB database.

Over the last several months the Board has been working with the Department of Finance to improve the website to make it more user friendly and to make it easier to determine which of the three liquor entities you need (Liquor Board, Liquor Enforcement or Liquor Commission). I am happy to say that that work has been completed - please check out the new page at https://www.fin.gov.nt.ca/en/services?combine=&field_service_category_tid=401&field_program_type_tid=Al

Once you click on the NWT Liquor Licensing Board page you can go to the LLB Database at: <https://www.fin.gov.nt.ca/en/services/nwt-liquor-licensing-board/database>. You can then navigate that page by using the filters on the left - there you will see links to application decisions, compliance hearings, licences, frequently asked questions ("FAQs"), newsletters, and policies, processes and procedures.

We encourage licence and permit holders to check out the links as the pages include a wealth of information.

We also welcome any and all feedback - if you see ways to improve the website, or there are confusing areas, we would like to hear about it.

In the September newsletter we outlined a number of the legislative changes that the Board has recommended that the Department of Finance consider to bring the NWT in line with other jurisdictions, particularly in issues relating to tourism. Given we have a new government this could be an opportune time for legislative change to advance. I encourage licence holders, NWT Tourism, the NWT and Yellowknife Chambers of Commerce or other interested parties to contact the Department of Finance if they have recommendations for legislative change.

Renewal time will soon be upon us - please check your licence as it may expire on March 31, 2020. If it does you should be thinking about your renewal application soon, particularly if you have had changes in your premises or management and you need to update your documentation. If your staff have not taken alcohol server training in the last 24 months you will want to contact Liquor Enforcement to determine if there are any sessions planned in your community. The Department is pursuing online alcohol server training and hopefully that will come into place in the coming months, but for now, the training is facilitated "in person". To ensure against disruption to your business I recommend you submit your forms in January or February to build in time in the event you have missed documentation or have made errors.

A reminder that the Board office will be closed December 23, 2019 till January 2, 2020. If you are planning a Christmas or New Year's event and you require a

special occasion permit, or you have an event that you are seeking permission to have minors attend, or you need to file a banquet room extension - please don't delay; get your paperwork in early so you are not disappointed or inconvenienced. As you can appreciate it is a busy time of year and the Board staff need time to process the increased applications during the holiday season. Ensure that "2020" stands for your New Year's event and not hindsight: "I should have applied for my permit in time!"

Sandra Aitken
Chairperson



Upcoming Events
March 2020
licence renewals



Board Updates

Activities

The Board recently met in Yellowknife for an administrative meeting on November 6th & 7th. While conducting its business, Board members also took training in Interpreting Legislation through the GNWT Department of Justice.

The Department's IT specialist recently made changes to the LLB website so Board information is organized in one place to make Board information easier to find. The Board continues to work with the Department of Finance to create an easier online experience to access Board documents and forms.

New application forms for liquor licences and special occasion permits are currently being finalized. The aim is to have this completed by the end of the year.

The Board recently finalized its Rules of Practice and Procedure. To view, please see the following link: https://www.fin.gov.nt.ca/sites/fin/files/llb-decisions/llb_rules_of_practice_and_procedure_f_or_compliance_hearings_-_november_2019_-_website.pdf

Next Meeting

The Board meets via teleconference as required but the next "in person" Administrative Board Meeting is set for May 5-7, 2020 in Hay River.



Welcome to the team!

Kesree Loutit
Administrative Assistant

Kesree Loutit recently started in the position of Administrative Assistant to the Liquor Licensing Board.

Kesree brings several years of professional administrative experience to the team. Kesree previously worked at Aurora Ford in the payroll administration department, which will greatly assist the Board in its administrative day to day operations.

Kesree is married and lives in Hay River with three children and their new foster dog, Stanley.

Kesree is looking forward to working with licence and permit holders in serving the public.

Kesree is always looking for an easier and better way to do things and she can readily adapt to changes in priorities. She is a professional, hard working, kind person.

Kesree's skills bring great value to our team as we move forward into 2020. Welcome to the team, Kesree!

CHANGE TO CLASS 2 (RESALE) SPECIAL OCCASION PERMITS

The LLB increased the maximum charge per drink to \$4.00:

Anyone 19 years of age or older may apply for a Class 2 Permit. It is not the purpose of a Class 2 permit for the Permit Holder to make a profit from the sale of liquor. The Liquor Licensing Board may set the maximum a Permit Holder may charge for liquor. **Presently that amount is \$4.00 per drink.** This class of permit is intended for events where the organizer wants to provide liquor but does not want to give it away.

The per-drink limit is intended to offset some of these costs.

WE WANT TO HEAR FROM YOU!
IF YOU HAVE ANY IDEAS OR SUGGESTIONS FOR FUTURE NEWSLETTERS, PLEASE LET US KNOW AT LLBINFO@GOV.NT.CA

LICENCE RENEWALS

If your current liquor licence expires in March of 2020, now is a good time to start thinking about getting your documentation together for upcoming licence renewals.

It is best to submit your renewal early, because if you are missing any of the required documentation, your renewal application may not be processed in time.

Changes to Applicant Information		
Have there been any changes to the information submitted in the application for the liquor licence since the licence was issued or last renewed?		
Paragraph 19(3)(a) of the Liquor Regulations requires licence holders to include in their licence renewal application the details of any changes to the following information:		
Contact Information:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, this renewal application includes new contact information.
Floor Plan:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the new floor plan. (*Note: Structural additions or alterations to the licensed premises require the prior written approval of the Board per s. 62 Reg.(4)(3))
Occupant Load:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the updated (dated within 3 months) new Occupancy Load Certificate.
Section 81 of the Liquor Regulations requires licence holders to notify the Board without delay of any changes to the following information:		
(a) its establishment documents;	(c) its officers and directors;	(e) its associates;
(b) its bylaws;	(d) its on-site manager;	(f) its shareholders.
Officers/Directors:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the updated list of officers/directors and criminal records checks issued within the last three months for each of the new officers/directors.
On-site Manager:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the employment agreement and criminal records check issued within the last three months for the new on-site manager.
Associates:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the updated list of associates and criminal records checks issued within the last three months for each new associate.
Shareholders:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached is the updated list of shareholders.
Establishment documents:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached are the updated establishment and/or corporate documents.
By-laws:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached are the updated bylaws.
Other:	<input type="checkbox"/> No changes	<input type="checkbox"/> Yes, attached are an explanation of additional changes to the licensed business, along with supporting documents.
Charges or Convictions		
Paragraph 12(1) and subsections 5(2) and 5(3) of the Liquor Act specify that a liquor licence may not be issued to a licence holder, on-site manager, or associate who has outstanding charges or convictions for offences described under subsection 12(1) of the Liquor Regulations and established under a law of Canada, the Northwest Territories, another territory, or a province.		
If the licence holder, on-site manager, or an associate has any outstanding charges or convictions (including sentences of absolute or conditional discharge) since the liquor licence was issued or last renewed it must be reported:		
<input type="checkbox"/> No, there are no outstanding charges or new convictions.		
<input type="checkbox"/> Yes, there are outstanding charges and/or new convictions.		
An explanation of those matters are attached, along with supporting documents.		
Subsection 12(3) of the Liquor Regulations provides for a licence holder to apply to the Board to exempt an offence where the offence was a minor infraction of the law or issuing the licence would not create an undue risk of harm to the public. Such an application for exemption must be made in writing:		
<input type="checkbox"/> Attached is a written request with reasons to exempt an offence from prohibiting the renewal of this liquor licence.		
Fines Levied		
Have there been any fines levied against the licence holder since the licence was issued or last renewed?		
<input type="checkbox"/> No <input type="checkbox"/> Yes, attached are the receipts proving the fines have been paid.		
Liquor Service		
Complete this section for Class A (Liquor Primary) and Class B (Food Primary) only.		
Have you sold liquor under your current liquor licence within the past six months?		
<input type="checkbox"/> Yes <input type="checkbox"/> No, attached is the explanation.		



SERVER TRAINING

It is now a condition of renewal to provide confirmation that your on-site manager and servers have taken an NWT server training course within the last 24 months.

Server training courses are not provided by the Liquor Licensing Board - they are provided by NWT Liquor Enforcement, which is a separate entity.

Liquor Enforcement has advised that an online server training program is in development to allow licence holders to meet this condition. NWT Liquor Enforcement will be in contact directly with all current licence holders to advise when the online training is available.

Liquor Enforcement can be contacted at: liquorenforcement@gov.nt.ca

FAQ: CAN MINORS ATTEND A SPECIAL OCCASION EVENT?

Board permission for minors to attend a special occasion event must be obtained ahead of time.

The form seeking Board permission for minors to attend can be found by copying and pasting the following link in your browser: <https://www.fin.gov.nt.ca/en/resources/minors-licensed-premises-application-0>.

It is always a good idea to apply ahead of the time deadline to make sure that your application has met all the requirements. The deadline to apply for a special occasion event for 200 people or under is 5 days in advance; for 200 to 500 people is 14 days in advance; and for over 500 people, is 45 days in advance .

More information about special occasion permits is located at: <https://www.fin.gov.nt.ca/en/services/nwt-liquor-licensing-board/nwt-special-occasion-permits>

UPCOMING EVENTS:

Special Provisions Applying to the Holidays



CHRISTMAS DAY

No holder of a Class A (Liquor Primary) licence may sell, serve, or allow the consumption of liquor on the premises on Christmas Day:
paragraph 45(1)(b) of the *Liquor Regulations*.



NEW YEARS EVE

Licence holders whose regular operating hours end at 2 am may extend their operating hours on New Years Eve up to one hour, to end no later than 3 am:

section 47 of the *Liquor Regulations*.

Remember that cut-off for liquor service is always a half hour before the end of operating hours.

HOLIDAY OFFICE HOURS

The Liquor Licensing Board Offices will be closed from December 23rd, 2019 to January 2nd, 2020.



HAPPY HOLIDAYS AND BEST WISHES FOR 2020!